

CORRECTIONS IMPACT STATEMENT

SESSION: 26RS BILL #: HB 750

Introduced

BR #: 2335

BILL SPONSOR(S): Rep. N. Wilson

AMENDMENT SPONSOR(S):

TITLE: AN ACT relating to cychlorphine.

SUMMARY OF LEGISLATION: Amend KRS 218A.010 to define "cychlorphine"; amend KRS 218A.1410 to prohibit the importing of cychlorphine with the intent to sell or distribute cychlorphine; amend KRS 218A.1412 to prohibit trafficking of cychlorphine; amend KRS 218A.14141 to prohibit unlawfully selling or distributing cychlorphine while misrepresenting the identity of the substance; amend KRS 218A.142 to prohibit aggravated trafficking of cychlorphine; amend KRS 500.080 to define "cychlorphine" and "fentanyl"; amend KRS 507.030 to expand the elements of manslaughter in the first degree to include selling cychlorphine to another person and the injection, ingestion, inhalation, or introduction of that substance causes the death of that person; amend KRS 507.040 to expand the elements of manslaughter in the second degree to include distributing cychlorphine to another person without remuneration and the injection, ingestion, inhalation, or introduction of that substance causes the death of that person; amend KRS 520.050 to enhance the penalty of promoting contraband if the dangerous contraband is cychlorphine; amend KRS 532.100 to conform.

AMENDMENT:

This bill amendment committee substitute is expected to:

Have the following Corrections impact

Creates new crime(s)

Increases penalty for existing crime(s)

Increases incarceration

Reduces inmate/offender services

Increases staff time or positions

Changes elements of the offense for existing crime(s)

Otherwise impacts incarceration (Explain):

Have no Corrections impact.

Repeals existing crime(s)

Decreases penalty for existing crime(s)

Decreases incarceration.

Increases inmate/offender services.

Reduces staff time or positions.

STATE IMPACT: Class A, B, & C felonies are based on an average daily prison rate of \$116.41. Community Custody Class C and most Class D felons are housed in one of seventy-four (74) full-service or regional jails for up to five (5) years. Department of Corrections cost to incarcerate a felony inmate in jail is \$46.51 per day, which includes \$35.34 per diem, medical costs, and central office administrative costs (substance abuse treatment not included).*

Projected Impact: NONE MINIMAL to MODERATE (< \$1 million) SIGNIFICANT (> \$1 million)

The legislation would likely result in a moderate increase in operational costs at the state level by expanding the sentence length for offenses related to Cychlorphine. Increasing parole eligibility from 20% to 85% correlates with additional costs. Examples are provided below to demonstrate anticipated additional costs per offender, based on Felony class.

- A Class B Felony sentence is 10 to 20 years = additional 3,559 days = \$414,288.35 per offender
- A Class C Felony sentence is 5 to 10 years = additional 2,373 days = \$276,231.04 per offender
- A Class D Felony sentence is 1 to 5 years = additional 1,186 days = \$55,159.20 per offender

Expanding the definition of offenses that are requiring to serve 85% would likely impact the controlled intake population housed in county jails. Longer prison sentences increase the length of stay and ultimately decrease prison bed space.

Cost to Incarcerate can be found on corrections.ky.gov/public-information.

LOCAL IMPACT: Local governments are responsible for the cost of incarcerating individuals charged with Class A or B misdemeanors and felony defendants until the disposition of the case. The estimated impact will be based on the \$46.51 cost to incarcerate for the Department of Corrections,

including \$35.34 per diem and medical that DOC pays jails to house felony offenders. This cost to incarcerate may not be the actual housing cost for the jail.*

Projected Impact: NONE MINIMAL to MODERATE (< \$1 million) SIGNIFICANT (> \$1 million)

The legislation would likely result in a moderate increase in operational costs at the local level by expanding the sentence length for offenses related to Cychlorphine. Increasing parole eligibility from 20% to 85% correlates with additional costs. Examples are provided below to demonstrate anticipated additional costs per offender, based on Felony class.

- A Class D Felony sentence is 1 to 5 years = additional 1,186 days = \$55,159.20 per offender

Expanding the definition of offenses that are requiring to serve 85% would likely impact the controlled intake population housed in county jails. Longer prison sentences increase the length of stay and ultimately decrease prison bed space.

Cost to Incarcerate can be found on corrections.ky.gov/public-information.

PROJECTED IMPACT FROM AMENDMENTS: NONE MINIMAL to MODERATE (< \$1 million) SIGNIFICANT (> \$1 million)

**All projections are based on the daily rate x 365 days x number of years. The cost to incarcerate as calculated by the Department is shown here as rounded to the hundredths. Offenders may have multiple offenses or be incarcerated on other charges unless otherwise noted. Unless otherwise noted, numbers will include inchoate offenses at the underlying offense level.*

The following offices contributed to this Corrections Impact Statement:

Dept. of Corrections Dept. of Kentucky State Police Administrative Office of the Courts Parole Board Other

NOTE: Consideration should be given to the cumulative impact of all bills that increase the felon population, lengthen the term of incarceration, or impose new obligations on state or local governments.

APPROVED BY: 
Commissioner, Kentucky Department of Corrections

3/23/2026
Date