

**Local Government Mandate Statement
Kentucky Legislative Research Commission
2026 Regular Session**

Part I: Measure Information

Bill Request #:	1631	Bill #:	SB 125/GA
Document ID #:	7353	Sponsor:	Sen. Danny Carroll
Bill Title:	AN ACT relating to juvenile justice		

Unit of Government: City County Urban-County
 Charter County Consolidated Local Unified Local

Office(s) Impacted: Law Enforcement; County Fiscal Courts

Requirement: Mandatory Optional

Effect on Powers & Duties: Modifies Existing Adds New Eliminates Existing

Other Fiscal Statement(s) that may exist: Actuarial Analysis Corrections Impact
 Health Benefit Mandate State Employee Health Plan

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

Section 1 of SB 125/GA would define terms and establish a procedure for children charged with public offenses to receive inpatient psychiatric treatment to determine whether the child is a high acuity youth. If a child is determined to be high acuity, the bill would establish procedures for securing a treatment plan and for dispute resolution. As part of that process, if a child is delivered to an inpatient psychiatric hospital or pediatric teaching hospital for a behavioral assessment without a referral from the department, the cabinet, or the Department of Juvenile Justice (DJJ), a clinical professional would be required to present an affidavit to a law enforcement officer, a court-designated worker, or a detention alternative coordinator. The law enforcement officer, court-designated worker, or detention alternative coordinator would then return the youth to the custody of the custodial agency until a court issues further orders regarding appropriate treatment. The facility would then proceed in accordance with the bill.

Section 2 would require DJJ to administer a statewide program to determine appropriate physical security for facilities that provide for the detention and treatment of children,

including mental health facilities. The bill would require the department to operate at least one female-only detention facility. As funds are available, a second female-only detention facility would be established, and a third facility could be developed if population analysis shows the first two have exceeded capacity. The bill would require DJJ to charge counties and local governments a per diem rate, set by administrative regulation, for lodging juveniles in state-owned or contracted facilities. Current law permits a per diem rate capped at \$94.

Sections 3 and 8 would amend KRS 600.020 and KRS 15A.200 to require that a Youth Alternative Center, as defined in those statutes, be operated by a local government.

Section 9 would amend the statute to expand the local government units eligible to apply to DJJ to construct, operate, or contract for the operation of a Youth Alternative Center.

Section 10 would remove employees at secure residential treatment facilities from the scope of KRS 508.025, Assault in the Third Degree. Depending on the circumstances, Assault in the Third Degree may be charged as a Class B or Class A misdemeanor, or as a Class D or Class C felony.

The bill would also amend and add defined terms, authorize limited information sharing, conform various sections of KRS, authorize the Justice and Public Safety Cabinet to construct a high acuity youth mental health facility, direct the Cabinet for Health and Family Services to provide clinical services, and direct DJJ to continue implementation of a regional detention model.

The fiscal impact of SB 125/GA is indeterminable.

The fiscal impact of the substitute is unchanged from the bill as introduced. The per diem rate to be charged to counties and local governments would be set by administrative regulation and is not specified in statute. Until those rates are established, the cost to local governments cannot be determined. As of August 2025, DJJ operated eight secure detention centers housing 248 youth, six youth development centers housing 119 youth, eight group homes housing 54 youth, and five day treatment centers, according to the Justice and Public Safety Cabinet. While the future per diem rate is unknown, these population figures provide context for the number of youth who may require services affected by the bill.

Because Section 9 permits consolidated local governments to construct, operate, or contract for the operation of a youth alternative center, any fiscal impact is indeterminable, as participation would be discretionary.

Section 10 may reduce the number of convictions for Assault in the Third-Degree involving employees at secure residential treatment facilities. To the extent convictions decrease, local incarceration costs could decline. The extent of any reduction is indeterminable.

A person convicted of a Class B misdemeanor may be incarcerated for up to 90 days. A person convicted of a Class A misdemeanor may be incarcerated for up to 12 months. Misdemeanants are housed in one of Kentucky's 74 full-service jails or three life-safety jails. While costs vary by facility, the average cost to incarcerate an individual is \$47.43 per day. Although most misdemeanor defendants are released on bail, those who remain incarcerated impose these daily costs on local jails.

If bail is denied to a Class D felony defendant, the local government is responsible for housing the defendant in a full-service or life-safety jail until disposition. The average cost to incarcerate is \$47.43 per day, which includes the \$35.34 per diem and medical payments made by the Department of Corrections to house felony offenders. Upon sentencing, Class D felons are typically housed in local jails, and the Department of Corrections pays \$35.34 per day. The per diem may be less than, equal to, or greater than the actual cost of housing.

If bail is denied to a Class C felony defendant, the local government is responsible for incarceration until disposition under the same average daily cost. Class C felons are not eligible for placement in local jails until classified at the lowest custody level with 24 months or less remaining until minimum expiration or parole eligibility. The Department of Corrections pays \$35.34 per day to house eligible Class C felons in local jails, and the per diem may be less than, equal to, or greater than the actual housing cost.

Data Source(s): LRC Staff; Justice and Safety Cabinet; Department of Corrections

Preparer: AS **Reviewer:** TJ (MDA) **Date:** 3/6/26