

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

Part I: Measure Information

Bill Request #:	1631	Bill #:	SB 125/SCS 1
Document ID #:	5474	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

SB 125/SCS 1 addresses health services, specifically behavioral and psychiatric health services for children. This bill creates a new section of KRS Chapter 200.

Section 1 defines terms and establishes a procedure for children charged with public offenses to receive inpatient psychiatric treatments to determine if the child is a high acuity youth. If a child is high acuity, the bill defines procedures for securing a treatment plan and dispute resolution.

Section 2 requires the Department of Juvenile Justice to administer a statewide program to determine the appropriate physical security for facilities that provide for the detention and treatment of children. This section includes mental health facilities in the list of other facilities.

Additionally, the department must operate at least two (2) female-only detention facilities. The DJJ shall charge counties and local governments a per diem rate set by

administrative regulation for the lodging of juveniles in state-owned or contracted facilities. The previous per diem rate was capped at \$94.

Section 9 is amended to clarify that consolidated local governments may apply to the DJJ to construct, operate, or contract for the operation of a youth alternative center, just as county governments, urban-county governments, unified local governments, or charter county governments may.

Section 10 removes employees at secure residential treatment facilities from the definition of KRS 508.025 which is the statute for assault in the third degree. Depending on the conditions and facts of the case, an assault in the third degree can range from a Class B and Class A misdemeanor, to a Class D and Class C felony.

This bill also amends and adds defined terms, enables release of information in specific circumstances, amends various sections of KRS to conform, authorizes the Justice and Public Safety Cabinet to construct a high acuity youth mental health facility, directs the Cabinet for Health and Family Services to provide clinical services, and directs the Department of Juvenile Justice to continue to implement the plan to return to a regional model of detention.

The fiscal impact of SB 125/SCS 1 is indeterminable.

The fiscal impact of the substitute is unchanged from that of the bill as introduced. The rates at which local governments are to be charged is not set by statute, but will be set by regulation. Before those rates are set, it is unknown exactly how much this will cost local government because it is unknown whether the new rates will be higher or lower than the previous per diem rates. However, as of August of 2025, the DJJ operated 8 secure detention centers with 248 youth, 6 youth development centers with 119 youth, 8 group homes with 54 youth, and 5 day treatment centers, according to the Justice and Public Safety Cabinet. While it is unknown what the per diem rate will be, these numbers may give an estimate to what the average number of youths that may require the services listed in this bill.

Because Section 9 gives consolidated county governments the option to construct, operate, or contract for the operation of a youth alternative center, it is indeterminable what fiscal impact this will have because they may or may not choose to do so.

Because Section 10 removes employees at secure residential treatment facilities from KRS 508.025, it is possible that the number of people convicted of such crime falls, which could have a positive fiscal impact, but it is still indeterminable how much of an effect this will have.

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 twelve months. Misdemeanants are housed in one of Kentucky's 74 full-service jails or three life safety jails. While the expense of housing inmates varies by jail, this estimated impact will be

based on an average cost to incarcerate of \$47.43 per day. While the majority of misdemeanor defendants are granted bail, those who do not will also cost local jails an average cost to incarcerate of \$47.43 per day.

When a court denies bail to a Class D felony defendant, the local government is responsible for incarcerating the defendant until disposition of the case in one of Kentucky's 74 full service jails or three life safety jails. While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an average cost to incarcerate of \$47.43, which includes the \$35.34 per diem and medical expenses that the Department of Corrections pays jails to house felony offenders. Upon sentencing, a Class D felon is housed in one of Kentucky's full service jails for the duration of his or her sentence. The Department of Corrections pays a jail \$35.34 per day to house a Class D felon. The per diem may be less than, equal to, or greater than the actual housing cost.

When a court denies bail to a Class C felony defendant, the local government is responsible for incarcerating the defendant until disposition of the case in one of Kentucky's 74 full service jails or three life safety jails. While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an average cost to incarcerate of \$47.43, which includes the \$35.34 per diem and medical expenses that the Department of Corrections pays jails to house felony offenders. Class C felons are ineligible for placement in local jails until they are classified at the lowest custody level with 24 months or less to their minimum expiration date or parole eligibility date. The Department of Corrections pays local jails \$35.34 per day to house these Class C felons. 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: JR **Reviewer:** AS (MDA) **Date:** 2/12/26