



**The fiscal impact of HB 182 on local jails is indeterminable but expected to be somewhat negative.** The bill adds a number of offenses to the list of those which make a person a “violent offender” if convicted. It also increases the number of offenses which mandate the convicted person serve at least 85% of the imposed sentence before they are eligible for any form of early release.

These changes affect sentencing and will thus represent an additional cost to local jails for housing inmates who serve a greater portion of their imposed sentence than they otherwise would have. Violent offenders convicted of a Class D felony would be housed in a local jail until the individual serves at least 85% of the imposed sentence. Violent offenders convicted of a Class C felony would not be eligible to be housed in a local jail until they are classified at the lowest custody level, expanding the parole eligibility may now require a Class C felony offender to be housed in a state prison for a longer period of time, which would decrease the potential eligible length of time as to when the offender could transfer to a local jail.

While the Department of Corrections reimburses local jails for housing a Class D or C felon offender, the reimbursement per diem may be less than, equal to, or greater than the actual housing cost. The costs associated with housing a felony defendant in a local jail is described below.

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 \$44.97, 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 \$44.97, 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; Kentucky Department of Corrections

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