

Trespass upon key infrastructure assets is a Class B misdemeanor for the first offense and a Class A misdemeanor for a second or subsequent offense.

The fiscal impact of HB 324 HCS on local governments is indeterminable but expected to be minimal at this time due to the unpredictable number of offenders and that most misdemeanants are generally not imprisoned.

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 76 full service jails or four life safety jails. While the expense of housing inmates varies by jail, this estimated impact will be based on \$31.34 per day, which equals the per diem and medical expenses that the Department of Corrections pays jails to house felony offenders. While the majority of misdemeanor defendants are granted bail, those who do not, will also cost local jails an average of \$31.34 per day.

Part III: Differences to Local Government Mandate Statement from Prior Versions

HB 324 HCS 1 added wireless communications facilities and any related assets to the definition of "Key Infrastructure assets." There is no change to the fiscal impact of HB 324.

Data Source(s): LRC Staff, Kentucky Department of Corrections

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