

CORRECTIONS IMPACT STATEMENT

SESSION: 17RS

BILL #: HB 540 GA

BR #: 1571

DOC ID#: BR157100.100 - 1571 - XXXX

BILL SPONSOR(S): Rep. D. St. Onge **AMENDMENT SPONSOR(S):**

SUBJECT: AN ACT relating to aviation safety.

SUMMARY OF LEGISLATION: Create a new section of KRS Chapter 183 to allow airports to prepare unmanned aircraft facility maps; require the map to be filed with the secretary of the airport board and published on the airport's Web site; require consultation in developing the map with the FAA control tower at an airport, if one exists; restrict the scope of a map to approach surface areas defined by federal regulations; mandate that any such map restricting the operation of unmanned aircraft published by the FAA shall be the unmanned aircraft facility map for that airport; create a new section of KRS Chapter 183 to prohibit the operator of an unmanned aircraft or the operator's supervisor from operating or allowing the operation of an unmanned aircraft in a reckless manner or a manner that would cause an incursion, exempt unmanned aircraft operated from commercial purposes in accordance with FAA regulations; amend KRS 189.011 to define the terms "operate," "operator," "unmanned aircraft," and "unmanned aircraft facility map"; amend KRS 183.990 to provide penalties.

This bill amendment committee substitute is expected to:

Have the following Corrections impact Have no Corrections impact

- | | |
|--|--|
| <input type="checkbox"/> Creates new crime(s) | <input type="checkbox"/> Repeals existing crime(s) |
| <input type="checkbox"/> Increases penalty for existing crime(s) | <input type="checkbox"/> Decreases penalty for existing crime(s) |
| <input type="checkbox"/> Increases incarceration | <input type="checkbox"/> Decreases incarceration |
| <input type="checkbox"/> Reduces inmate/offender services | <input type="checkbox"/> Increases inmate/offender services |
| <input type="checkbox"/> Increases staff time or positions | <input type="checkbox"/> Reduces staff time or positions |
| <input type="checkbox"/> Changes elements of offense for existing crime(s) | |
| <input type="checkbox"/> Otherwise impacts incarceration (Explain) _____ | |

STATE IMPACT: Class A, B & C felonies are based on an average daily prison rate of \$66.82. Most Class D felons are housed in one of 76 full service jails for up to 5 years. DOC's cost to incarcerate a felony inmate in a jail is \$31.41 per day (includes jail per diem, medical & central office costs), not including substance abuse treatment. Projections are based on the daily rate x 365 x number of years.

Projected Impact: NONE MINIMAL MODERATE SIGNIFICANT

Potential Impact:

Under this legislation, anyone who operates or allows an unmanned aircraft to operate in a manner that allows for entry into prohibited areas, or in a reckless manner which may create a risk of serious physical injury or risk of property damage, shall be guilty of a Class A misdemeanor or a Class D felony. The offense shall be a Class D felony if the violation causes a significant change of course or serious disruption to the safe travel of the aircraft, threatening the physical safety of passengers and crew.

This offense would share a penalty with KRS 183.887, Pointing laser or other light at aircraft operator. Currently the Department does not show any offender incarcerated or under supervision for this offense.

Due to the limited number of offenders which would be expected under this legislation, the impact to the Department would be minimal.

A Class D Felony sentence is 1 to 5 years.	10 Class D Felons cost \$114,640 to \$573,200
1 Class D Felon costs KY \$11,464 to \$57,320	100 Class D Felons cost \$1.146M to \$5.7M

LOCAL IMPACT: Local governments are responsible for the cost of incarcerating individuals charged with Class A or B misdemeanors and felony defendants until disposition of the case. While the expense varies by jail, this estimated impact will be based on \$31.34 per day, which equals the per diem and medical that DOC pays jails to house felony offenders.

Projected Impact: NONE MINIMAL MODERATE SIGNIFICANT

Potential Impact:

Due to the limited number of arrests and resulting Class A misdemeanor offenders generated under this legislation, the impact to incarceration at the county level would be minimal.

A Class A misdemeanor is 90 days to 1 year in jail	10 Class A misdemeanants: \$28,270 to \$114,640
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1 Class A misdemeanor: \$2,827 to \$11,464

100 Class A misdemeanors: \$282,700 to \$1,146,400

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 or that impose new obligations on state or local governments.

APPROVED BY:

 Commissioner, Kentucky Department of Corrections

 Date