

By: Senator M. Johnson

SENATE RESOLUTION

TO AUTHORIZE THE INTRODUCTION OF A NONAPPROPRIATION BILL TO REQUIRE THE DIVISION OF CORRECTION AND THE DIVISION OF COMMUNITY CORRECTION TO REIMBURSE A COUNTY JAIL FOR THE ACTUAL COST OF HOUSING A STATE INMATE IN THE COUNTY JAIL.

Subtitle

TO AUTHORIZE THE INTRODUCTION OF A NONAPPROPRIATION BILL CONCERNING REIMBURSEMENT FOR HOUSING A STATE INMATE IN THE COUNTY JAIL.

BE IT RESOLVED BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

THAT Representative Rye is authorized to introduce a bill which as introduced will read substantially as follows:

"Title

AN ACT TO REQUIRE THE DIVISION OF CORRECTION AND THE DIVISION OF COMMUNITY CORRECTION TO REIMBURSE A COUNTY JAIL FOR THE ACTUAL COST OF HOUSING A STATE INMATE IN THE COUNTY JAIL; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE THE DIVISION OF CORRECTION AND THE DIVISION OF COMMUNITY CORRECTION TO REIMBURSE A COUNTY JAIL FOR THE ACTUAL COST OF HOUSING A STATE INMATE IN THE COUNTY JAIL.



BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 12-27-114(a), concerning county jail reimbursement for housing a state inmate, is amended to read as follows:

(a)(1)(A)(i) In the event the ~~Department~~ Division of Correction cannot accept inmates from county jails due to insufficient bed space, the ~~Department~~ Division of Correction shall reimburse the counties from the County Jail Reimbursement Fund ~~at rates determined by the Chief Fiscal Officer of the State, after consultation with Arkansas Legislative Audit and the Department of Correction and upon approval by the Governor, until the appropriation and funding provided for that purpose are exhausted~~ for the actual cost of housing the inmate in the county jail.

(ii) The reimbursement rate shall include the county's cost of transporting the inmates to the ~~Department~~ Division of Correction.

(iii) The county sheriff shall determine the actual cost of housing a state inmate in the county jail.

(B)(i) Reimbursement shall begin on the date of sentencing if the judgment and commitment order is received by the ~~Department~~ Division of Correction not later than twenty-one (21) days from the sentencing date.

(ii) If the judgment and commitment order is received by the ~~Department~~ Division of Correction twenty-two (22) or more days after the sentencing date, reimbursement shall begin on the date the ~~Department~~ Division of Correction receives the judgment and commitment order.

(2)(A)(i) In the event the ~~Department~~ Division of Community Correction cannot accept inmates from county jails due to insufficient bed space or ~~shall have~~ has an inmate confined in a county jail under any prerelease program or sanction imposed in response to a violation of supervision conditions, the ~~Department~~ Division of Community Correction shall reimburse the counties from the fund ~~at rates determined by the Chief Fiscal Officer of the State, after consultation with Arkansas Legislative Audit and the Department of Correction, and upon approval by the Governor, until the appropriation and funding provided for that purpose are exhausted~~ for the actual cost of housing the inmate in the county jail.

(ii) The county sheriff shall determine the actual

cost of housing a state inmate in the county jail.

(B)(i) Reimbursement shall begin on either the date of sentencing or the date of placement on probation accompanied with incarceration in the ~~Department~~ Division of Community Correction if the judgment and commitment order or the judgment and disposition order, whichever is applicable, is received by the ~~Department~~ Division of Community Correction not later than twenty-one (21) days from either the date of sentencing or the date of placement on probation accompanied with incarceration in the ~~Department~~ Division of Community Correction.

(ii) If the judgment and commitment order or the judgment and disposition order, whichever is applicable, is received by the ~~Department~~ Division of Community Correction twenty-two (22) or more days after the date of sentencing or the date of placement on probation accompanied with incarceration in the ~~Department~~ Division of Community Correction, reimbursement shall begin on the date the ~~Department~~ Division of Community Correction receives either the judgment and commitment order or the judgment and disposition order, whichever is applicable."