

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

HOUSE BILL 1727

By: Representative L. Johnson

For An Act To Be Entitled

AN ACT TO REQUIRE THE DIVISION OF CORRECTION AND THE DIVISION OF COMMUNITY CORRECTION TO REIMBURSE A COUNTY JAIL FOR THE ACTUAL COST FOR 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), as amended by Acts 2023, No. 133, § 1, and concerning the reimbursement of counties for housing inmates in county jails, is amended to read as follows:

(a)(1)(A)(i) In the event the Division of Correction cannot accept inmates from county jails due to insufficient bed space, the 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 Division 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~~ amount shall include the county's cost of transporting the inmates to the Division of Correction.



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(B)(i) Reimbursement under subdivision (a)(1)(A) of this section shall begin accruing on the date of sentencing.

(ii) The Division of Correction shall not reimburse the county until the Division of Correction receives a complete and accurate sentencing order.

(2)(A) In the event the Division of Community Correction cannot accept inmates from county jails due to insufficient bed space or shall have an inmate confined in a county jail under any prerelease program or sanction imposed in response to a violation of supervision conditions, the 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 Division 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.

(B)(i) Reimbursement under subdivision (a)(2)(A) of this section shall begin accruing on either the date of sentencing or the date of placement on probation accompanied with incarceration in the Division of Community Correction.

(ii) The Division of Community Correction shall not reimburse the county until the Division of Community Correction receives a complete and accurate sentencing order or an order or waiver for a sanction to a community correction center.