

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

# A Bill

HOUSE BILL 2354

5 By: Representatives Hyde, S. Prater, Rosenbaum  
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## For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE § 12-27-114 TO  
10 INCREASE THE REIMBURSEMENT RATE FOR STATE INMATES  
11 IN COUNTY JAILS UNDER CERTAIN CIRCUMSTANCES; AND  
12 FOR OTHER PURPOSES.  
13

## Subtitle

14 TO AMEND ARKANSAS CODE § 12-27-114 TO  
15 INCREASE THE REIMBURSEMENT RATE FOR  
16 STATE INMATES IN COUNTY JAILS UNDER  
17 CERTAIN CIRCUMSTANCES.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 12-27-114(a), concerning the reimbursement  
24 rate for state inmates in county jails, is amended to read as follows:

25 (a)(1)(A)(i) ~~In~~ Except as provided in subdivision (a)(1)(C) of this  
26 section, in the event the Department of Correction cannot accept inmates from  
27 county jails due to insufficient bed space, the Department of Correction  
28 shall reimburse the counties from the County Jail Reimbursement Fund at rates  
29 determined by the Chief Fiscal Officer of the State, after consultation with  
30 the Division of Legislative Audit and the Department of Correction and upon  
31 approval by the Governor, until the appropriation and funding provided for  
32 that purpose are exhausted.

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

35 (B)(i) Reimbursement shall begin on the date of sentencing  
36 if the judgment and commitment order is received by the Department of



1 Correction not later than twenty-one (21) days from the sentencing date.

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

6 (C) If the Department of Correction cannot accept inmates  
 7 within seventy-two (72) hours of the date reimbursement begins under  
 8 subdivision (a)(1)(B) of this section, the Department of Correction shall  
 9 reimburse the counties at a rate that is double the current rate described in  
 10 subdivision (a)(1)(A)(i) of this section.

11 (2)(A) ~~In~~ Except as provided in subdivision (a)(2)(C) of this  
 12 section, in the event the Department of Community Correction cannot accept  
 13 inmates from county jails due to insufficient bed space or shall have an  
 14 inmate confined in a county jail under any prerelease program, the Department  
 15 of Community Correction shall reimburse the counties from the fund at rates  
 16 determined by the Chief Fiscal Officer of the State, after consultation with  
 17 the division and the Department of Correction, and upon approval by the  
 18 Governor, until the appropriation and funding provided for that purpose are  
 19 exhausted.

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

28 (ii) If the judgment and commitment order or the  
 29 judgment and disposition order, whichever is applicable, is received by the  
 30 Department of Community Correction twenty-two (22) or more days after the  
 31 date of sentencing or the date of placement on probation accompanied with  
 32 incarceration in the Department of Community Correction, reimbursement shall  
 33 begin on the date the Department of Community Correction receives either the  
 34 judgment and commitment order or the judgment and disposition order,  
 35 whichever is applicable.

36 (C) If the Department of Community Correction cannot

1 accept inmates within seventy-two (72) hours of the date reimbursement begins  
2 under subdivision (a)(2)(B) of this section, the Department of Community  
3 Correction shall reimburse the counties at a rate that is double the current  
4 rate described in subdivision (a)(2)(A) of this section.

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