

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 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: H3/24/09

A Bill

HOUSE BILL 1590

5 By: Representatives Kerr, Hobbs, Greenberg, English, Slinkard, J. Burris, Carter, *Webb, Adcock, Hopper,*
6 *D. Hutchinson, McLean, J. Roebuck*

7 By: Senator D. Johnson
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For An Act To Be Entitled

11 AN ACT TO AMEND THE AMOUNT OF REIMBURSEMENT A
12 COUNTY RECEIVES FROM THE STATE FOR THE CARE AND
13 CUSTODY OF A STATE INMATE HELD IN A COUNTY JAIL;
14 AND FOR OTHER PURPOSES.

Subtitle

17 TO AMEND THE AMOUNT OF REIMBURSEMENT A
18 COUNTY RECEIVES FROM THE STATE FOR THE
19 CARE AND CUSTODY OF A STATE INMATE HELD
20 IN A COUNTY JAIL.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. Arkansas Code § 12-27-114(a), concerning the amount of
26 reimbursement a county receives for housing state inmates, is amended to read
27 as follows:

28 (a)(1)(A)~~(i)~~ In the event the Department of Correction cannot accept
29 inmates from county jails due to insufficient bed space, the Department of
30 Correction shall reimburse the counties from the County Jail Reimbursement
31 Fund at ~~rates determined by the Chief Fiscal Officer of the State, after~~
32 ~~consultation with the Division of Legislative Audit and the Department of~~
33 ~~Correction and upon approval by the Governor, until the appropriation and~~
34 ~~funding provided for that purpose are exhausted~~ the rate of thirty-four
35 dollars (\$34.00) per day.

36 ~~(ii) The reimbursement rate shall include the~~



1 ~~county's cost of transporting the inmates to the Department of Correction.~~

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

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

9 (2)(A) In the event the Department of Community Correction
10 cannot accept inmates from county jails due to insufficient bed space or
11 shall have an inmate confined in a county jail under any prerelease program,
12 the Department of Community Correction shall reimburse the counties from the
13 fund at ~~rates determined by the Chief Fiscal Officer of the State, after~~
14 ~~consultation with the division and the Department of Correction, and upon~~
15 ~~approval by the Governor, until the appropriation and funding provided for~~
16 ~~that purpose are exhausted~~ the rate of thirty-four dollars (\$34.00) per day.

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

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

33
34 SECTION 2. Arkansas Code § 12-27-130 is repealed.

35 ~~12-27-130. Reimbursement of county.~~

36 ~~Notwithstanding any other provision of law or Department of~~

1 ~~Corrections' commitment which may exist to the contrary, the Board of~~
2 ~~Corrections shall not increase any reimbursement rate for payments made to~~
3 ~~any county for the purpose of reimbursing the expenses of the care and~~
4 ~~custody of state inmates without first seeking and receiving the approval of~~
5 ~~the Governor and the Chief Fiscal Officer of the State.~~

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7 */s/ Kerr*
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