

**GOVERNMENTAL LAW AMENDMENTS**

2001 GENERAL SESSION

STATE OF UTAH

**Sponsor: Greg J. Curtis**

**This act requires the Department of Corrections to receive the approval of the Legislature before contracting with a county government to house inmates in facilities not currently under construction or in existence. This act takes effect upon approval.**

This act affects sections of Utah Code Annotated 1953 as follows:

ENACTS:

**64-13c-401**, Utah Code Annotated 1953

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **64-13c-401** is enacted to read:

**64-13c-401. Legislative approval of contracting.**

(1) Except as provided under Subsection (2), the department may enter into a contract with a county government to house inmates only if the Legislature **h** [~~approves the contract by passing~~

**HAS PREVIOUSLY PASSED h** a

joint resolution which includes the following information regarding the **h** [~~contract~~] **PROPOSED**

**AGREEMENT h** :

(a) the **h** **APPROXIMATE h** number of beds to be contracted;

(b) the county's average daily rate the department will pay the county per inmate **h** , **AS DETERMINED UNDER TITLE 63, CHAPTER 13c, PART 3, REIMBURSEMENT OF INMATE COSTS h** ;

and

(c) the **h** **APPROXIMATE h** amount of the county's long-term debt and the length of that debt for the facility

where the inmates are to be housed.

(2) The department may enter into a contract with a county government to house inmates without complying with the approval process in Subsection (1) only if the county facility is currently under construction or currently exists as of the effective date of this act.



24           Section 2. **Effective date.**

25           If approved by two-thirds of all the members elected to each house, this act takes effect

26 upon approval by the governor, or the day following the constitutional time limit of Utah

27 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the

28 date of veto override.

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**Legislative Review Note**  
**as of 2-6-01 12:18 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**