SUMMARY

Jail Reimbursement refers to payments made by the state to reimburse counties for a portion of the cost of housing felony probationers and parolees sentenced to county jails. It is different than “Jail Contracting” which is an agreement between the Department of Corrections and county sheriffs to house a number of state inmates in county jails.

Until very recently, both Jail Reimbursement and Jail Contracting have been managed by the Department of Corrections. However, with the passage of H.B. 220 in the 2009 General Session, Jail Reimbursement is now managed by the Commission on Criminal and Juvenile Justice (CCJJ). The law outlines the timeline and procedures as follows:

- Each month, counties submit a report to CCJJ detailing the number of relevant inmates and inmate days provided by the county
- By September 1, CCJJ compiles the information for the preceding fiscal year and the Department of Corrections calculates the “average actual state daily incarceration rate” for the most recent three years
- By September 15, a group of sheriffs, county representatives, corrections officials, the CCJJ director, and GOPB director meet to discuss the rate
- By September 30, CCJJ informs the Division of Finance and each county of the exact amount of the payment that will be made to each county
- By December 15, the Division of Finance distributes payment to each county

If appropriations allow, the law requires payments at a rate of 50% of the legislatively-approved final state daily incarceration rate. If appropriations are insufficient to pay this rate, CCJJ must prorate the approved payment to match appropriations. The Legislature reserves the right to set the final state daily incarceration rate. The Legislature appropriated $6,500,000 (all one-time funds) to the Division of Finance for Jail Reimbursement in FY 2010. Prior to H.B. 220, funds were appropriated to the Department of Corrections. Final FY 2009 appropriations totaled $10,753,300.