



House of Representatives *State of Utah*

W030 STATE CAPITOL COMPLEX • P.O. BOX 145030
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February 12, 2007

Mr. Speaker:

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 438**, JAIL CONTRACTING - JAIL COMPENSATION AMENDMENTS, by Representative M. Noel, with the following amendments:

1. *Page 4, Lines 102 through 104:*

102 (2) "State daily incarceration rate" means the final state daily incarceration
rate, **rounded down to the nearest half-dollar,**
103 reviewed and discussed under Subsection 64-13e-105(2), and approved by the Legislature
104 under Subsection 64-13e-105(3), that reflects the expenses of the department, including:

2. *Page 4, Line 120 through Page 5, Line 121:*

120 (5) "State probationary inmate" means felony probationers sentenced to **time in**
a county jail
121 under Subsection 77-18-1(8).

3. *Page 6, Lines 172 through 173:*

172 (6) Counties that receive the reimbursement described in this section shall, on or
before
173 {~~June 30~~} **July 31** of each year, submit a report to the department **, for the**
preceding fiscal year, that includes:

4. *Page 6, Lines 180 through 182:*

180 (1) (a) Before **{~~December~~}** **September** 1 of each year, the department shall
inform the counties of the
181 department's proposed state daily incarceration rate for the fiscal year beginning on July 1
of
182 the following year.

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5. Page 7, Lines 186 through 187:

186 (2) Before ~~{January}~~ October 1 of each year, the following parties shall
meet to review and
187 discuss the proposed state daily incarceration rate, described in Subsection (1):

6. Page 7, Lines 204 through 205:

204 (3) (a) The state daily incarceration rate, reviewed and discussed under
Subsection (2),
205 may not be implemented until approved by the Legislature in the annual appropriations
act.

- (b) Nothing in this chapter prohibits the Legislature from setting the final
state daily incarceration rate at an amount higher or lower than:
(i) the rate that is reviewed and discussed under Subsection (2); or
(ii) the rate that was used during the preceding fiscal year.

Respectfully,

DeMar "Bud" Bowman
Committee Chair

Voting: 9-0-2

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