

**COUNTY CHARGES FOR SERVICES TO  
INCARCERATED PERSONS**

2008 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Richard A. Greenwood**

Senate Sponsor: Gregory S. Bell

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**LONG TITLE**

**General Description:**

This bill modifies a provision related to county charges.

**Highlighted Provisions:**

This bill:

► expands a provision relating to health care expenses incurred for persons booked into or committed to jail in a first or second class county to include health care expenses incurred by health care providers, making those expenses county charges subject to current statutory limits.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

**AMENDS:**

**17-50-319**, as last amended by Laws of Utah 2001, Chapter 249

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

Section 1. Section **17-50-319** is amended to read:

**17-50-319. County charges enumerated.**



- 28 (1) County charges are:
- 29 (a) those incurred against the county by any law;
- 30 (b) the necessary expenses of the county attorney or district attorney incurred in  
31 criminal cases arising in the county, and all other expenses necessarily incurred by the county  
32 or district attorney in the prosecution of criminal cases, except jury and witness fees;
- 33 (c) the expenses necessarily incurred in the support of persons charged with or  
34 convicted of a criminal offense and committed to the county jail;
- 35 (d) for a county not within the state district court administrative system, the sum  
36 required by law to be paid jurors in civil cases;
- 37 (e) all charges and accounts for services rendered by any justice court judge for  
38 services in the trial and examination of persons charged with a criminal offense not otherwise  
39 provided for by law;
- 40 (f) the contingent expenses necessarily incurred for the use and benefit of the county;
- 41 (g) every other sum directed by law to be raised for any county purposes under the  
42 direction of the county legislative body or declared a county charge;
- 43 (h) the fees of constables for services rendered in criminal cases;
- 44 (i) the necessary expenses of the sheriff and deputies incurred in civil and criminal  
45 cases arising in the county, and all other expenses necessarily incurred by the sheriff and  
46 deputies performing the duties imposed upon them by law;
- 47 (j) the sums required by law to be paid by the county to jurors and witnesses serving at  
48 inquests and in criminal cases in justice courts; and
- 49 (k) ~~[for a county of the first or second class and]~~ subject to Subsection (2), expenses  
50 incurred by a health care facility or provider in providing medical services at the request of a  
51 county sheriff for existing conditions of:
- 52 (i) persons booked into a county jail on a charge of a criminal offense; or  
53 (ii) persons convicted of a criminal offense and committed to a county jail.
- 54 (2) (a) Expenses described in Subsection (1)(k) are a county charge only to the extent  
55 that they exceed any private insurance in effect that covers those expenses.
- 56 (b) If there is no contract between a county jail and a health care facility or provider  
57 that establishes a fee schedule for medical services rendered, expenses under Subsection (1)(k)  
58 shall be commensurate with the current noncapitated state Medicaid rates.

59 (c) Subsection (1)(k) does not apply to expenses of a person held at the jail at the  
60 request of an agency of the United States.

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**Legislative Review Note**  
**as of 12-28-07 10:32 AM**

**Office of Legislative Research and General Counsel**

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**H.B. 121 - County Charges for Services to Incarcerated Persons**

**Fiscal Note**

2008 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill could result in costs savings for counties currently paying above medicaid rates for incarcerated individuals.

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