

H.B. 220

STATE PAYMENT AND REIMBURSEMENT TO COUNTY CORRECTIONAL FACILITIES

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 10, 2009 6:04 PM

Representative **Michael E. Noel** proposes the following amendments:

1. *Page 1, Lines 15 through 17:*

- 15 ▶ requires the ~~{Department of Corrections}~~ Division of Finance to pay counties, for housing state
16 probationary inmates or state parole inmates, at a rate of 50% of the final state daily
17 incarceration rate;

2. *Page 1, Lines 21 through 27:*

- 21 ▶ provides that the ~~{director of the Department of Corrections}~~ Division of Finance
 shall, on or before
22 September 30 of each year, pay each county for housing state probationary inmates
23 and state parole inmates, based on the number housed by each county during the
24 state fiscal year that ended on June 30 of the preceding calendar year;
25 ▶ provides for the distribution and discussion of information ~~{to, and the discussion of~~
 information by;
26 ~~the counties}~~ regarding the "actual state daily incarceration rate" and the number of
27 state probationary inmates and state parole inmates housed by each county; and

3. *Page 2, Line 56:*

- (3) "Division of Finance" means the Division of Finance, created in Section 63A-3-101.
56 ~~{(3)}~~ (4) "Final state daily incarceration rate" means the average actual state daily

4. *Page 3, Line 59:*

- 59 ~~{(4)}~~ (5) "State inmate" means a person, other than a state probationary inmate or state

5. *Page 3, Line 61:*

- 61 ~~{(5)}~~ (6) "State parole inmate" means a person who is:

6. *Page 3, Line 70:*

- 70 ~~{(6)}~~ (7) "State probationary inmate" means felony probationers sentenced to time in a

7. Page 3, Lines 79 through 81:

79 (2) Within funds appropriated by the Legislature for this purpose, the ~~{-department-}~~ Division of
Finance shall
80 [reimburse] pay a county that houses a state probationary inmate or a state parole inmate at a
81 rate of ~~[42.1%]~~ 50% of the final state daily incarceration rate.

8. Page 4, Lines 90 through 94:

90 (5) (a) The ~~{-director of the department-}~~ Division of Finance shall administer the
[reimbursement] payment
91 described in ~~[this section]~~ Subsection (2).

92 (b) ~~[The]~~ In accordance with Subsections (8) and (9), the ~~{-department-}~~ Division of Finance
shall by rule
93 establish procedures for the distribution of [reimbursement] the payment described in ~~[this~~
94 ~~section]~~ Subsection (2).

9. Page 4, Lines 103 through 107:

103 (7) On or before September 1 of each year, the department shall compile the
104 information from the reports described in Subsection (6) and provide a copy of the compilation
105 to :

(a) each county that submitted a report ; and
(b) the Division of Finance .

106 (8) On or before September 30 of each year, the ~~{-director of the department-}~~ Division of
Finance shall
107 distribute the payment described in Subsection (2) in a single payment to each county.

10. Page 4, Lines 114 through 116:

114 (1) (a) Before September 1 of each year, the department shall calculate, and inform the
115 counties and the Division of Finance of, the average actual state daily incarceration rate for the most recent
three years for
116 which the data is available.