

1     **COUNTY CORRECTIONAL FACILITY REIMBURSEMENT AMENDMENTS**  
2024 GENERAL SESSION  
STATE OF UTAH  
**Chief Sponsor: Derrin R. Owens**  
House Sponsor: Jefferson S. Burton

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3     **LONG TITLE**

4     **General Description:**

5         This bill concerns county correctional facility reimbursement.

6     **Highlighted Provisions:**

7         This bill:

- 8             ▸ defines terms;
- 9             ▸ amends provisions concerning county correctional facility reimbursement for state
- 10            probationary inmates and state parole inmates;
- 11            ▸ amends provisions concerning the Subcommittee on County Correctional Facility
- 12            Contracting and Reimbursement, including reporting requirements; and
- 13            ▸ makes technical and conforming changes.

14     **Money Appropriated in this Bill:**

15         This bill appropriates in fiscal year 2025:

- 16            ▸ to Governor's Office - CCJJ - Jail Reimbursement - Jail Reimbursement as a one-time
- 17            appropriation:
- 18            • from the General Fund, One-time, \$1,000,000

19     **Other Special Clauses:**

20         This bill provides a special effective date.

21     **Utah Code Sections Affected:**

22     AMENDS:

- 23         **63A-16-1002**, as last amended by Laws of Utah 2023, Chapters 158, 161, 382, and 448
- 24         **63I-2-263**, as last amended by Laws of Utah 2023, Chapters 33, 139, 212, 354, and 530
- 25         **63I-2-264**, as last amended by Laws of Utah 2021, Chapter 366
- 26         **63J-1-602.2**, as last amended by Laws of Utah 2023, Chapters 33, 34, 134, 139, 180, 212,
- 27         246, 310, 330, 345, 354, and 534

28 **64-13e-102**, as last amended by Laws of Utah 2023, Chapter 246  
 29 **64-13e-103.1**, as last amended by Laws of Utah 2023, Chapter 246  
 30 **64-13e-104**, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 20  
 31 **64-13e-105**, as last amended by Laws of Utah 2023, Chapter 246

32 REPEALS:

33 **64-13e-103.2**, as last amended by Laws of Utah 2023, Chapter 246

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

36 Section 1. Section **63A-16-1002** is amended to read:

37 **63A-16-1002 . Criminal and juvenile justice database.**

- 38 (1) The commission shall oversee the creation and management of a criminal and juvenile  
 39 justice database for information and data required to be reported to the commission,  
 40 organized by county, and accessible to all criminal justice agencies in the state.
- 41 (2) The division shall assist with the development and management of the database.
- 42 (3) The division, in collaboration with the commission, shall create:
- 43 (a) master standards and formats for information submitted to the database;
- 44 (b) a portal, bridge, website, or other method for reporting entities to provide the  
 45 information;
- 46 (c) a master data management index or system to assist in the retrieval of information in  
 47 the database;
- 48 (d) a protocol for accessing information in the database that complies with state privacy  
 49 regulations; and
- 50 (e) a protocol for real-time audit capability of all data accessed through the portal by  
 51 participating data source, data use entities, and regulators.
- 52 (4) Each criminal justice agency charged with reporting information to the commission  
 53 shall provide the data or information to the database in a form prescribed by the  
 54 commission.
- 55 (5) The database shall be the repository for the statutorily required data described in:
- 56 (a) Section 13-53-111, recidivism reporting requirements;
- 57 (b) Section 17-22-32, county jail reporting requirements;
- 58 (c) Section 17-55-201, Criminal Justice Coordinating Councils reporting;
- 59 (d) Section 41-6a-511, courts to collect and maintain data;
- 60 (e) Section 53-23-101, reporting requirements for reverse-location warrants;
- 61 (f) Section 53-24-102, sexual assault offense reporting requirements for law

- 62 enforcement agencies;
- 63 (g) Section 63M-7-214, law enforcement agency grant reporting;
- 64 (h) Section 63M-7-216, prosecutorial data collection;
- 65 (i) Section 64-13-21, supervision of sentenced offenders placed in community;
- 66 (j) Section 64-13-25, standards for programs;
- 67 (k) Section 64-13-45, department reporting requirements;
- 68 (l) Section 64-13e-104, [~~housing of~~] county correctional facility reimbursement program
- 69 for state probationary inmates [~~or~~] and state parole inmates;
- 70 (m) Section 77-7-8.5, use of tactical groups;
- 71 (n) Section 77-11b-404, forfeiture reporting requirements;
- 72 (o) Section 77-20-103, release data requirements;
- 73 (p) Section 77-22-2.5, court orders for criminal investigations;
- 74 (q) Section 78A-2-109.5, court demographics reporting;
- 75 (r) Section 80-6-104, data collection on offenses committed by minors; and
- 76 (s) any other statutes which require the collection of specific data and the reporting of
- 77 that data to the commission.
- 78 (6) The commission shall report:
- 79 (a) progress on the database, including creation, configuration, and data entered, to the
- 80 Law Enforcement and Criminal Justice Interim Committee not later than November
- 81 2022; and
- 82 (b) all data collected as of December 31, 2022, to the Law Enforcement and Criminal
- 83 Justice Interim Committee, the House Law Enforcement and Criminal Justice
- 84 Standing Committee, and the Senate Judiciary, Law Enforcement and Criminal
- 85 Justice Standing Committee not later than January 16, 2023.
- 86 Section 2. Section **63I-2-263** is amended to read:
- 87 **63I-2-263 . Repeal dates: Title 63A to Title 63N.**
- 88 (1) Title 63A, Chapter 2, Part 5, Educational Interpretation and Translation Services
- 89 Procurement Advisory Council is repealed July 1, 2025.
- 90 (2) Section 63A-17-303 is repealed July 1, 2023.
- 91 (3) Section 63A-17-806 is repealed June 30, 2026.
- 92 (4) Title 63C, Chapter 22, Digital Wellness, Citizenship, and Safe Technology Commission
- 93 is repealed July 1, 2023.
- 94 (5) Section 63H-7a-303 is repealed July 1, 2024.
- 95 (6) Subsection 63H-7a-403(2)(b), regarding the charge to maintain the public safety

96 communications network, is repealed July 1, 2033.

97 (7) Subsection [~~63J-1-602.2(45)~~] 63J-1-602.2(46), which lists appropriations to the State  
98 Tax Commission for property tax deferral reimbursements, is repealed July 1, 2027.

99 (8) Subsection 63N-2-213(12)(a), relating to claiming a tax credit in the same taxable year  
100 as the targeted business income tax credit, is repealed December 31, 2024.

101 (9) Title 63N, Chapter 2, Part 3, Targeted Business Income Tax Credit in an Enterprise  
102 Zone, is repealed December 31, 2024.

103 Section 3. Section **63I-2-264** is amended to read:

104 **63I-2-264 . Repeal dates: Title 64.**

105 [~~(4) Section 64-13e-103.2 is repealed June 30, 2024.~~]

106 Section 4. Section **63J-1-602.2** is amended to read:

107 **63J-1-602.2 . List of nonlapsing appropriations to programs.**

108 Appropriations made to the following programs are nonlapsing:

109 (1) The Legislature and the Legislature's committees.

110 (2) The State Board of Education, including all appropriations to agencies, line items, and  
111 programs under the jurisdiction of the State Board of Education, in accordance with  
112 Section 53F-9-103.

113 (3) The Rangeland Improvement Act created in Section 4-20-101.

114 (4) The Percent-for-Art Program created in Section 9-6-404.

115 (5) The LeRay McAllister Working Farm and Ranch Fund created in Section 4-46-301.

116 (6) The Utah Lake Authority created in Section 11-65-201.

117 (7) Dedicated credits accrued to the Utah Marriage Commission as provided under  
118 Subsection 17-16-21(2)(d)(ii).

119 (8) The Wildlife Land and Water Acquisition Program created in Section 23A-6-205.

120 (9) Sanctions collected as dedicated credits from Medicaid providers under Subsection  
121 26B-3-108(7).

122 (10) The primary care grant program created in Section 26B-4-310.

123 (11) The Opiate Overdose Outreach Pilot Program created in Section 26B-4-512.

124 (12) The Utah Health Care Workforce Financial Assistance Program created in Section  
125 26B-4-702.

126 (13) The Rural Physician Loan Repayment Program created in Section 26B-4-703.

127 (14) The Utah Medical Education Council for the:

128 (a) administration of the Utah Medical Education Program created in Section 26B-4-707;

129 (b) provision of medical residency grants described in Section 26B-4-711; and

- 130 (c) provision of the forensic psychiatric fellowship grant described in Section 26B-4-712.
- 131 (15) The Division of Services for People with Disabilities, as provided in Section 26B-6-402.
- 132 (16) Funds that the Department of Alcoholic Beverage Services retains in accordance with
- 133 Subsection 32B-2-301(8)(a) or (b).
- 134 (17) The General Assistance program administered by the Department of Workforce
- 135 Services, as provided in Section 35A-3-401.
- 136 (18) The Utah National Guard, created in Title 39A, National Guard and Militia Act.
- 137 (19) The Search and Rescue Financial Assistance Program, as provided in Section
- 138 53-2a-1102.
- 139 (20) The Emergency Medical Services Grant Program in Section 53-2d-207.
- 140 (21) The Motorcycle Rider Education Program, as provided in Section 53-3-905.
- 141 (22) The Utah Board of Higher Education for teacher preparation programs, as provided in
- 142 Section 53B-6-104.
- 143 (23) Innovation grants under Section 53G-10-608, except as provided in Subsection
- 144 53G-10-608(6).
- 145 (24) The Division of Fleet Operations for the purpose of upgrading underground storage
- 146 tanks under Section 63A-9-401.
- 147 (25) The Utah Seismic Safety Commission, as provided in Section 63C-6-104.
- 148 (26) The Division of Technology Services for technology innovation as provided under
- 149 Section 63A-16-903.
- 150 (27) The State Capitol Preservation Board created by Section 63C-9-201.
- 151 (28) The Office of Administrative Rules for publishing, as provided in Section 63G-3-402.
- 152 (29) The Colorado River Authority of Utah, created in Title 63M, Chapter 14, Colorado
- 153 River Authority of Utah Act.
- 154 (30) The Governor's Office of Economic Opportunity to fund the Enterprise Zone Act, as
- 155 provided in Title 63N, Chapter 2, Part 2, Enterprise Zone Act.
- 156 (31) The Governor's Office of Economic Opportunity's Rural Employment Expansion
- 157 Program, as described in Title 63N, Chapter 4, Part 4, Rural Employment Expansion
- 158 Program.
- 159 (32) County correctional facility contracting program for state inmates as described in
- 160 Section 64-13e-103.
- 161 (33) County correctional facility reimbursement program for state probationary inmates and
- 162 state parole inmates as described in Section 64-13e-104.
- 163 [~~33~~] (34) Programs for the Jordan River Recreation Area as described in Section 65A-2-8.

- 164 [(34)] (35) The Division of Human Resource Management user training program, as  
 165 provided in Section 63A-17-106.
- 166 [(35)] (36) A public safety answering point's emergency telecommunications service fund,  
 167 as provided in Section 69-2-301.
- 168 [(36)] (37) The Traffic Noise Abatement Program created in Section 72-6-112.
- 169 [(37)] (38) The money appropriated from the Navajo Water Rights Negotiation Account to  
 170 the Division of Water Rights, created in Section 73-2-1.1, for purposes of participating  
 171 in a settlement of federal reserved water right claims.
- 172 [(38)] (39) The Judicial Council for compensation for special prosecutors, as provided in  
 173 Section 77-10a-19.
- 174 [(39)] (40) A state rehabilitative employment program, as provided in Section 78A-6-210.
- 175 [(40)] (41) The Utah Geological Survey, as provided in Section 79-3-401.
- 176 [(41)] (42) The Bonneville Shoreline Trail Program created under Section 79-5-503.
- 177 [(42)] (43) Adoption document access as provided in Sections 78B-6-141, 78B-6-144, and  
 178 78B-6-144.5.
- 179 [(43)] (44) Indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent  
 180 Defense Commission.
- 181 [(44)] (45) The program established by the Division of Facilities Construction and  
 182 Management under Section 63A-5b-703 under which state agencies receive an  
 183 appropriation and pay lease payments for the use and occupancy of buildings owned by  
 184 the Division of Facilities Construction and Management.
- 185 [(45)] (46) The State Tax Commission for reimbursing counties for deferred property taxes  
 186 in accordance with Section 59-2-1802.5.
- 187 [(46)] (47) The Veterinarian Education Loan Repayment Program created in Section 4-2-902.  
 188 Section 5. Section **64-13e-102** is amended to read:
- 189 **64-13e-102 . Definitions.**
- 190 As used in this chapter:
- 191 [(1)] "~~Actual county daily incarceration rate~~" means the median amount of jail daily  
 192 ~~incarceration costs based on the data submitted by counties in accordance with~~  
 193 ~~Subsection 64-13e-104(6)(b).]~~
- 194 [(2)] (1) "Alternative treatment program" means:
- 195 (a) an evidence-based cognitive behavioral therapy program; or
- 196 (b) a certificate-based program provided by:
- 197 (i) an institution of higher education described in Subsection 53B-1-102(1)(b); or

- 198 (ii) a degree-granting institution acting in the degree-granting institution's technical  
199 education role described in Section 53B-2a-201.
- 200 [~~(3) "Annual inmate jail days" means the total number of state probationary inmates~~  
201 ~~housed in a county jail each day for the preceding fiscal year.~~]
- 202 [~~(4) (2) ["CCJJ"] "Board" means the Board of Pardons and Parole.~~
- 203 (3) "Commission" means the State Commission on Criminal and Juvenile Justice, created in  
204 Section 63M-7-201.
- 205 (4) (a) "Condition of probation day" means a day spent by a state probationary inmate in  
206 a county correctional facility as a condition of probation.
- 207 (b) "Condition of probation day" includes a day spent by a state probationary inmate in a  
208 county correctional facility:
- 209 (i) after the date of sentencing;
- 210 (ii) before the date of sentencing, if a court orders that the state probationary inmate  
211 shall receive credit for time served in a county correctional facility before the date  
212 of sentencing;
- 213 (iii) as a condition of an original order of probation; and
- 214 (iv) as a condition of a new order of probation after a prior revocation of probation.
- 215 (c) "Condition of probation day" does not include a day spent by a state probationary  
216 inmate in a county correctional facility:
- 217 (i) as a probation sanction day;
- 218 (ii) after the state probationary inmate has spent 365 consecutive days in a county  
219 correctional facility for a single order of probation;
- 220 (iii) as a condition of a plea in abeyance agreement if a conviction has not been  
221 entered;
- 222 (iv) on a hold instituted by the federal Immigration and Customs Enforcement  
223 Agency of the United States Department of Homeland Security; or
- 224 (v) after the termination of probation if the state probationary inmate is:
- 225 (A) sentenced to prison; or
- 226 (B) eligible for release.
- 227 (5) "Department" means the Department of Corrections, created in Section 64-13-2.
- 228 (6) "Division~~[of Finance]~~" means the Division of Finance, created in Section 63A-3-101.
- 229 (7) (a) "Eligible bed day" means a day spent by a state probationary inmate or a state  
230 parole inmate in a county correctional facility that is eligible for reimbursement  
231 under Section 64-13e-104.

- 232 (b) "Eligible bed day" includes:  
 233 (i) a condition of probation day;  
 234 (ii) a parole hold day;  
 235 (iii) a parole sanction day; and  
 236 (iv) a probation sanction day.
- 237 (8) (a) "Parole hold day" means a day spent in a county correctional facility by a state  
 238 parole inmate under Subsection 64-13-29(3) based on a suspected violation of the  
 239 state parole inmate's terms of parole.
- 240 (b) "Parole hold day" does not include a day spent in a county correctional facility by a  
 241 state parole inmate:  
 242 (i) after the state parole inmate has spent 72 hours, excluding weekends and holidays,  
 243 for a single suspected violation of the state parole inmate's terms of parole; or  
 244 (ii) as a parole sanction day.
- 245 (9) (a) "Parole sanction day" means a day spent in a county correctional facility by a  
 246 state parole inmate as a sanction under Subsection 64-13-6(2) for a violation of the  
 247 state parole inmate's terms of parole.
- 248 (b) "Parole sanction day" includes not more than three consecutive days and not more  
 249 than a total of five days within a period of 30 days for each sanction.
- 250 (c) "Parole sanction day" does not include a parole hold day.
- 251 (10) (a) "Probation sanction day" means a day spent in a county correctional facility by a  
 252 state probationary inmate as a sanction under Subsection 64-13-6(2) based on a  
 253 violation of the state probationary inmate's terms of probation.
- 254 (b) "Probation sanction day" includes not more than three consecutive days and not more  
 255 than a total of five days within a period of 30 days for each sanction.
- 256 (c) "Probation sanction day" does not include:  
 257 (i) a condition of probation day; or  
 258 (ii) a day spent in a county correctional facility by a state probationary inmate under  
 259 Subsection 64-13-29(3) based on a suspected violation of the state probationary  
 260 inmate's terms of probation.
- 261 [(7) "Final county daily incarceration rate" means the amount equal to:]  
 262 [(a) the amount appropriated by the Legislature for the purpose of making payments to  
 263 counties under Section 64-13e-104; divided by]  
 264 [(b) the average annual inmate jail days for the preceding five fiscal years.]
- 265 [(8) "Jail daily incarceration costs" means the following daily costs incurred by a county

266 jail for housing a state probationary inmate on behalf of the department.]

267 [(a) executive overhead;]

268 [(b) administrative overhead;]

269 [(c) transportation overhead;]

270 [(d) division overhead; and]

271 [(e) motor pool expenses.]

272 [(9)] (11) "State daily incarceration rate" means the average daily incarceration rate,  
273 calculated by the department based on the previous three fiscal years, that reflects the  
274 following expenses incurred by the department for housing an inmate:

275 (a) executive overhead;

276 (b) administrative overhead;

277 (c) transportation overhead;

278 (d) division overhead; and

279 (e) motor pool expenses.

280 [(10)] (12) "State inmate" means an individual, other than a state probationary inmate or  
281 state parole inmate, who is committed to the custody of the department.

282 [(11)] (13) "State parole inmate" means an individual who is:

283 (a) on parole, as defined in Section 77-27-1; and

284 (b) housed in a county correctional facility for a reason related to the individual's parole.

285 [(12)] (14) "State probationary inmate" means a felony probationer sentenced to time in a  
286 county correctional facility under Subsection 77-18-105(6).

287 [(13)] (15) "Treatment program" means:

288 (a) an alcohol treatment program;

289 (b) a substance abuse treatment program;

290 (c) a sex offender treatment program; or

291 (d) an alternative treatment program.

292 Section 6. Section **64-13e-103.1** is amended to read:

293 **64-13e-103.1 . Calculating the state incarceration rate.**

294 (1) Before September 15 of each year, the department shall:

295 (a) calculate the state daily incarceration rate; and

296 (b) inform each county and [CCH] the commission of the state daily incarceration rate.

297 (2) The state daily incarceration rate may not be less than the rate presented to the

298 Executive Appropriations Committee of the Legislature for purposes of setting the

299 appropriation for the department's budget.

300 Section 7. Section ~~64-13e-104~~ is amended to read:

301 **64-13e-104 . County correctional facility reimbursement program for state**

302 **probationary inmates and state parole inmates -- Payments.**

303 ~~[(1) (a) A county shall accept and house a state probationary inmate or a state parole~~

304 ~~inmate in a county correctional facility, subject to available resources.]~~

305 ~~[(b) A county may release a number of inmates from a county correctional facility, but not~~

306 ~~to exceed the number of state probationary inmates in excess of the number of inmates~~

307 ~~funded by the appropriation authorized in Subsection (2) if:]~~

308 ~~[(i) the state does not fully comply with the provisions of Subsection (9) for the most~~

309 ~~current fiscal year; or]~~

310 ~~[(ii) funds appropriated by the Legislature for this purpose are less than 50% of the actual~~

311 ~~county daily incarceration rate.]~~

312 ~~[(2)] (1) A county may receive reimbursement from the state for the county's eligible bed~~

313 ~~days as described in this section.~~

314 ~~(2) Within funds appropriated by the Legislature for [this] the purpose described in~~

315 ~~Subsection (1), the [Division of Finance] division shall[-] :~~

316 ~~(a) pay a county [that houses a state probationary inmate or a state parole inmate] for the~~

317 ~~county's eligible bed days at a rate of [47.89%] 50% of the [actual county] state daily~~

318 ~~incarceration rate; and~~

319 ~~(b) administer the payments under this section.~~

320 ~~(3) Funds appropriated by the Legislature under Subsection (2):~~

321 ~~(a) are nonlapsing;~~

322 ~~(b) may only be used for the purposes described in Subsection (2) [and Subsection (10)];~~

323 ~~and~~

324 ~~(c) may not be used for:~~

325 ~~(i) the costs of administering the payment described in this section; or~~

326 ~~(ii) payment of county correctional facility contract costs for state inmates under~~

327 ~~Section 64-13e-103.~~

328 ~~(4) The costs described in Subsection (3)(c)(i) shall be [covered] funded by legislative~~

329 ~~appropriation.~~

330 ~~(5) [(a) The Division of Finance shall administer the payment described in Subsection~~

331 ~~(2) and Subsection (10). (b) In accordance with Subsection (9), CCJJ shall, by rule~~

332 ~~made pursuant] The commission may adopt, according to Title 63G, Chapter 3, Utah~~

333 ~~Administrative Rulemaking Act, [establish] rules to administer this section, including~~

- 334 establishing requirements and procedures for collecting data from counties for the  
335 purpose of completing the calculations described in this section.
- 336 ~~[(e) Notwithstanding any other provision of this section, CCJJ shall adjust the amount~~  
337 ~~of the payments described in Subsection (7)(b), on a pro rata basis, to ensure that the~~  
338 ~~total amount of the payments made does not exceed the amount appropriated by the~~  
339 ~~Legislature for the payments.]~~
- 340 (6) Each county that receives the payment described in Subsection (2) ~~[and Subsection (10)~~  
341 ~~shall:]~~ shall submit a report to the commission in accordance with the requirements  
342 established by the commission.
- 343 ~~[(a) on at least a monthly basis, submit a report to CCJJ that includes:]~~
- 344 ~~[(i) the number of state probationary inmates and state parole inmates the county~~  
345 ~~housed under this section;]~~
- 346 ~~[(ii) the total number of state probationary inmate days of incarceration and state parole~~  
347 ~~inmate days of incarceration that were provided by the county;]~~
- 348 ~~[(iii) the total number of offenders housed pursuant to Subsection 64-13-21(2)(b); and]~~  
349 ~~[(iv) the total number of days of incarceration of offenders housed pursuant to~~  
350 ~~Subsection 64-13-21(2)(b); and]~~
- 351 ~~[(b) before September 15 of every third year beginning in 2022, calculate and inform~~  
352 ~~CCJJ of the county's jail daily incarceration costs for the preceding fiscal year.]~~
- 353 (7) (a) On or before September 30 of each year, ~~[CCJJ]~~ the commission shall:
- 354 (i) compile the information from the reports described in Subsection ~~[(6)(a)]~~ (6) that  
355 relate to the preceding state fiscal year and provide a copy of the compilation to  
356 each county that submitted a report; and
- 357 (ii) calculate:
- 358 (A) ~~[the actual county incarceration rate, based on the most recent year that data~~  
359 ~~was reported in accordance with Subsection (6)(b)]~~ the eligible bed days for  
360 each county; and
- 361 (B) ~~[the final county incarceration rate]~~ the amount owed to each county based on  
362 the county's eligible bed days in accordance with Subsection (2).
- 363 (b) On or before October 15 of each year, ~~[CCJJ]~~ the commission shall inform the [  
364 Division of Finance] division and each county of[:]
- 365 ~~[(i) the actual county incarceration rate;]~~
- 366 ~~[(ii) the final county incarceration rate; and (iii)]~~ the exact amount of the payment  
367 described in this section that shall be made to each county.

368 (8) (a) On or before December 15 of each year, the [~~Division of Finance~~] division shall  
 369 distribute the payment described in Subsection (7)(b) in a single payment to each  
 370 county.

371 (b) Funds from the Jail Reimbursement Reserve Program may be used only once  
 372 existing annual appropriated funds for the fiscal year have been exhausted.

373 [~~(9) (a) The amount paid to each county under Subsection (8) shall be calculated on a pro~~  
 374 ~~rata basis, based on the average number of state probationary inmate days of~~  
 375 ~~incarceration and the average state parole inmate days of incarceration that were~~  
 376 ~~provided by each county for the preceding five state fiscal years; and]~~

377 [(b) if funds are available, the total number of days of incarceration of offenders housed  
 378 pursuant to Subsection 64-13-21(2)(b).]

379 [(10) If funds appropriated under Subsection (2) remain after payments are made pursuant  
 380 to Subsection (8), the Division of Finance shall pay a county that houses in its jail a  
 381 person convicted of a felony who is on probation or parole and who is incarcerated  
 382 pursuant to Subsection 64-13-21(2)(b) on a pro rata basis not to exceed 50% of the  
 383 actual county daily incarceration rate.]

384 Section 8. Section **64-13e-105** is amended to read:

385 **64-13e-105 . Subcommittee on County Correctional Facility Contracting and**  
 386 **Reimbursement -- Purpose -- Responsibilities -- Membership.**

387 (1) There is created within [~~CCJJ~~] the commission, the Subcommittee on County  
 388 Correctional Facility Contracting and Reimbursement consisting of the individuals listed  
 389 in Subsection (3).

390 (2) The subcommittee shall meet at least [~~quarterly~~] annually to review, discuss, and make  
 391 recommendations for:

392 (a) the state daily incarceration rate, described in Section 64-13e-103.1;

393 [(b) ~~the county daily incarceration rate;~~]

394 [(e)] (b) county correctional facility contracting and reimbursement processes and goals,  
 395 including the creation of a comprehensive statewide system of county correctional  
 396 facility contracting and reimbursement;

397 [(d)] (c) developing a partnership between the state and counties to create common goals  
 398 for housing state inmates;

399 [(e)] (d) calculations for the projected number of bed spaces needed;

400 [(f)] (e) programming for inmates while incarcerated;

401 [(g)] (f) proposals to reduce recidivism;

- 402       ~~[(h)]~~ (g) enhancing partnerships to improve law enforcement and incarceration programs;  
403       ~~[(i)]~~ (h) inmate transportation costs; and  
404       ~~[(j)]~~ (i) the compilation described in Subsection 64-13e-104(7).
- 405 (3) The membership of the subcommittee shall consist of the following nine members:  
406       (a) as designated by the Utah Sheriffs' Association:  
407           (i) one sheriff of a county that is currently under contract with the department to  
408               house state inmates; and  
409           (ii) one sheriff of a county that is currently receiving reimbursement from the  
410               department for housing state probationary inmates or state parole inmates;  
411       (b) the executive director of the department or the executive director's designee;  
412       (c) as designated by the Utah Association of Counties:  
413           (i) one member of the legislative body of one county that is currently under contract  
414               with the department to house state inmates; and  
415           (ii) one member of the legislative body of one county that is currently receiving  
416               reimbursement for housing state probationary inmates or state parole inmates;  
417       (d) the executive director of ~~[CCH]~~ the commission or the executive director's designee;  
418       (e) one member of the House of Representatives, appointed by the speaker of the House  
419           of Representatives;  
420       (f) one member of the Senate, appointed by the president of the Senate; and  
421       (g) the executive director of the Governor's Office of Planning and Budget or the  
422           executive director's designee.
- 423 (4) The subcommittee shall report to the Law Enforcement and Criminal Justice Interim  
424       Committee in November ~~[2023 and 2024 on progress and efforts to create and~~  
425       ~~implement a]~~ of each year on the status of the comprehensive statewide county  
426       correctional facility reimbursement and contracting system.
- 427 (5) The subcommittee shall report to the Executive Offices and Criminal Justice  
428       Appropriations Subcommittee not later than October 31 ~~[in 2022, 2023, and 2024]~~ of  
429       each year on costs associated with ~~[creating and implementing a]~~ the comprehensive  
430       statewide county correctional facility reimbursement and contracting system established  
431       in this chapter.
- 432 (6) (a) A member who is not a legislator may not receive compensation or benefits for  
433       the member's service, but may receive per diem and travel expenses as allowed in:  
434           (i) Section 63A-3-106;  
435           (ii) Section 63A-3-107; and

436 (iii) rules made by the [~~Division of Finance~~] division according to Sections 63A-3-106  
437 and 63A-3-107.

438 (b) Compensation and expenses of a member who is a legislator are governed by Section  
439 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

440 Section 9. **Repealer.**

441 This bill repeals:

442 Section **64-13e-103.2, State daily incarceration rate -- Limits -- Payments to county**  
443 **correctional facilities for state probationary and state parole inmates.**

444 Section 10. **FY 2025 Appropriation.**

445 The following sums of money are appropriated for the fiscal year beginning July 1,  
446 2024, and ending June 30, 2025. These are additions to amounts previously  
447 appropriated for fiscal year 2025.

448 Subsection 10(a) **Operating and Capital Budgets**

449 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act,  
450 the Legislature appropriates the following sums of money from the funds or accounts  
451 indicated for the use and support of the government of the state of Utah.

452 ITEM 1 To Governor's Office - CCJJ - Jail Reimbursement

453 From General Fund, One-time \$1,000,000

454 Schedule of Programs:

455 Jail Reimbursement \$1,000,000

456 Section 11. **Effective date.**

457 This bill takes effect on July 1, 2024.