

Representative Jefferson S. Burton proposes the following substitute bill:

COUNTY CORRECTIONAL FACILITY REIMBURSEMENT

AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Derrin R. Owens

House Sponsor: Jefferson S. Burton

LONG TITLE

General Description:

This bill concerns county correctional facility reimbursement.

Highlighted Provisions:

This bill:

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

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

63A-16-1002, as last amended by Laws of Utah 2023, Chapters 158, 161, 382, and 448



26 **63I-2-263**, as last amended by Laws of Utah 2023, Chapters 33, 139, 212, 354, and 530

27 **63I-2-264**, as last amended by Laws of Utah 2021, Chapter 366

28 **63J-1-602.2 (Effective 07/01/24)**, as last amended by Laws of Utah 2023, Chapters 33,
29 34, 134, 139, 180, 212, 246, 310, 330, 345, 354, and 534

30 **64-13e-102**, as last amended by Laws of Utah 2023, Chapter 246

31 **64-13e-103.1**, as last amended by Laws of Utah 2023, Chapter 246

32 **64-13e-104**, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 20

33 **64-13e-105**, as last amended by Laws of Utah 2023, Chapter 246

34 REPEALS:

35 **64-13e-103.2**, as last amended by Laws of Utah 2023, Chapter 246



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

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

39 **63A-16-1002. Criminal and juvenile justice database.**

40 (1) The commission shall oversee the creation and management of a criminal and
41 juvenile justice database for information and data required to be reported to the commission,
42 organized by county, and accessible to all criminal justice agencies in the state.

43 (2) The division shall assist with the development and management of the database.

44 (3) The division, in collaboration with the commission, shall create:

45 (a) master standards and formats for information submitted to the database;

46 (b) a portal, bridge, website, or other method for reporting entities to provide the
47 information;

48 (c) a master data management index or system to assist in the retrieval of information
49 in the database;

50 (d) a protocol for accessing information in the database that complies with state
51 privacy regulations; and

52 (e) a protocol for real-time audit capability of all data accessed through the portal by
53 participating data source, data use entities, and regulators.

54 (4) Each criminal justice agency charged with reporting information to the commission
55 shall provide the data or information to the database in a form prescribed by the commission.

56 (5) The database shall be the repository for the statutorily required data described in:

- 57 (a) Section 13-53-111, recidivism reporting requirements;
- 58 (b) Section 17-22-32, county jail reporting requirements;
- 59 (c) Section 17-55-201, Criminal Justice Coordinating Councils reporting;
- 60 (d) Section 41-6a-511, courts to collect and maintain data;
- 61 (e) Section 53-23-101, reporting requirements for reverse-location warrants;
- 62 (f) Section 53-24-102, sexual assault offense reporting requirements for law
- 63 enforcement agencies;
- 64 (g) Section 63M-7-214, law enforcement agency grant reporting;
- 65 (h) Section 63M-7-216, prosecutorial data collection;
- 66 (i) Section 64-13-21, supervision of sentenced offenders placed in community;
- 67 (j) Section 64-13-25, standards for programs;
- 68 (k) Section 64-13-45, department reporting requirements;
- 69 (l) Section 64-13e-104, ~~[housing of]~~ county correctional facility reimbursement
- 70 program for state probationary inmates [or] and state parole inmates;
- 71 (m) Section 77-7-8.5, use of tactical groups;
- 72 (n) Section 77-11b-404, forfeiture reporting requirements;
- 73 (o) Section 77-20-103, release data requirements;
- 74 (p) Section 77-22-2.5, court orders for criminal investigations;
- 75 (q) Section 78A-2-109.5, court demographics reporting;
- 76 (r) Section 80-6-104, data collection on offenses committed by minors; and
- 77 (s) any other statutes which require the collection of specific data and the reporting of
- 78 that data to the commission.
- 79 (6) The commission shall report:
 - 80 (a) progress on the database, including creation, configuration, and data entered, to the
 - 81 Law Enforcement and Criminal Justice Interim Committee not later than November 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 Standing
 - 84 Committee, and the Senate Judiciary, Law Enforcement and Criminal Justice Standing
 - 85 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
93 Commission 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
98 State 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
100 year 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 [~~(1) Section 64-13c-103.2 is repealed June 30, 2024.~~]

106 Section 4. Section 63J-1-602.2 (Effective 07/01/24) is amended to read:

107 **63J-1-602.2 (Effective 07/01/24). 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,
111 and 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
129 26B-4-707;
- 130 (b) provision of medical residency grants described in Section 26B-4-711; and
- 131 (c) provision of the forensic psychiatric fellowship grant described in Section
132 26B-4-712.
- 133 (15) The Division of Services for People with Disabilities, as provided in Section
134 26B-6-402.
- 135 (16) Funds that the Department of Alcoholic Beverage Services retains in accordance
136 with Subsection 32B-2-301(8)(a) or (b).
- 137 (17) The General Assistance program administered by the Department of Workforce
138 Services, as provided in Section 35A-3-401.
- 139 (18) The Utah National Guard, created in Title 39A, National Guard and Militia Act.
- 140 (19) The Search and Rescue Financial Assistance Program, as provided in Section
141 53-2a-1102.
- 142 (20) The Emergency Medical Services Grant Program in Section 53-2d-207.
- 143 (21) The Motorcycle Rider Education Program, as provided in Section 53-3-905.
- 144 (22) The Utah Board of Higher Education for teacher preparation programs, as
145 provided in Section 53B-6-104.
- 146 (23) Innovation grants under Section 53G-10-608, except as provided in Subsection
147 53G-10-608(6).
- 148 (24) The Division of Fleet Operations for the purpose of upgrading underground
149 storage tanks under Section 63A-9-401.

- 150 (25) The Utah Seismic Safety Commission, as provided in Section [63C-6-104](#).
- 151 (26) The Division of Technology Services for technology innovation as provided under
152 Section [63A-16-903](#).
- 153 (27) The State Capitol Preservation Board created by Section [63C-9-201](#).
- 154 (28) The Office of Administrative Rules for publishing, as provided in Section
155 [63G-3-402](#).
- 156 (29) The Colorado River Authority of Utah, created in Title 63M, Chapter 14,
157 Colorado River Authority of Utah Act.
- 158 (30) The Governor's Office of Economic Opportunity to fund the Enterprise Zone Act,
159 as provided in Title 63N, Chapter 2, Part 2, Enterprise Zone Act.
- 160 (31) The Governor's Office of Economic Opportunity's Rural Employment Expansion
161 Program, as described in Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program.
- 162 (32) County correctional facility contracting program for state inmates as described in
163 Section [64-13e-103](#).
- 164 (33) County correctional facility reimbursement program for state probationary inmates
165 and state parole inmates as described in Section [64-13e-104](#).
- 166 [~~33~~] (34) Programs for the Jordan River Recreation Area as described in Section
167 [65A-2-8](#).
- 168 [~~34~~] (35) The Division of Human Resource Management user training program, as
169 provided in Section [63A-17-106](#).
- 170 [~~35~~] (36) A public safety answering point's emergency telecommunications service
171 fund, as provided in Section [69-2-301](#).
- 172 [~~36~~] (37) The Traffic Noise Abatement Program created in Section [72-6-112](#).
- 173 [~~37~~] (38) The money appropriated from the Navajo Water Rights Negotiation
174 Account to the Division of Water Rights, created in Section [73-2-1.1](#), for purposes of
175 participating in a settlement of federal reserved water right claims.
- 176 [~~38~~] (39) The Judicial Council for compensation for special prosecutors, as provided
177 in Section [77-10a-19](#).
- 178 [~~39~~] (40) A state rehabilitative employment program, as provided in Section
179 [78A-6-210](#).
- 180 [~~40~~] (41) The Utah Geological Survey, as provided in Section [79-3-401](#).

181 ~~[(41)]~~ (42) The Bonneville Shoreline Trail Program created under Section 79-5-503.

182 ~~[(42)]~~ (43) Adoption document access as provided in Sections 78B-6-141, 78B-6-144,
183 and 78B-6-144.5.

184 ~~[(43)]~~ (44) Indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent
185 Defense Commission.

186 ~~[(44)]~~ (45) The program established by the Division of Facilities Construction and
187 Management under Section 63A-5b-703 under which state agencies receive an appropriation
188 and pay lease payments for the use and occupancy of buildings owned by the Division of
189 Facilities Construction and Management.

190 ~~[(45)]~~ (46) The State Tax Commission for reimbursing counties for deferred property
191 taxes in accordance with Section 59-2-1802.5.

192 ~~[(46)]~~ (47) The Veterinarian Education Loan Repayment Program created in Section
193 4-2-902.

194 Section 5. Section 64-13e-102 is amended to read:

195 **64-13e-102. Definitions.**

196 As used in this chapter:

197 ~~[(1) "Actual county daily incarceration rate" means the median amount of jail daily~~
198 ~~incarceration costs based on the data submitted by counties in accordance with Subsection~~
199 ~~64-13e-104(6)(b).]~~

200 ~~[(2)]~~ (1) "Alternative treatment program" means:

201 (a) an evidence-based cognitive behavioral therapy program; or

202 (b) a certificate-based program provided by:

203 (i) an institution of higher education described in Subsection 53B-1-102(1)(b); or

204 (ii) a degree-granting institution acting in the degree-granting institution's technical
205 education role described in Section 53B-2a-201.

206 ~~[(3) "Annual inmate jail days" means the total number of state probationary inmates~~
207 ~~housed in a county jail each day for the preceding fiscal year.]~~

208 ~~[(4)]~~ (2) ["~~CCJ~~"] "Board" means the Board of Pardons and Parole.

209 (3) "Commission" means the State Commission on Criminal and Juvenile Justice,
210 created in Section 63M-7-201.

211 (4) (a) "Condition of probation day" means a day spent by a state probationary inmate

212 in a county correctional facility as a condition of probation.

213 (b) "Condition of probation day" includes a day spent by a state probationary inmate in
214 a county correctional facility:

215 (i) after the date of sentencing;

216 (ii) before the date of sentencing, if a court orders that the state probationary inmate
217 shall receive credit for time served in a county correctional facility before the date of
218 sentencing;

219 (iii) as a condition of an original order of probation; and

220 (iv) as a condition of a new order of probation after a prior revocation of probation.

221 (c) "Condition of probation day" does not include a day spent by a state probationary
222 inmate in a county correctional facility:

223 (i) as a probation sanction day;

224 (ii) after the state probationary inmate has spent 365 consecutive dates in a county
225 correctional facility for a single order of probation;

226 (iii) as a condition of a plea in abeyance agreement if a conviction has not been
227 entered;

228 (iv) on a hold instituted by the federal Immigration and Customs Enforcement Agency
229 of the United States Department of Homeland Security; or

230 (v) after the termination of probation if the state probationary inmate is:

231 (A) sentenced to prison; or

232 (B) eligible for release.

233 (5) "Department" means the Department of Corrections, created in Section [64-13-2](#).

234 (6) "Division [~~of Finance~~]" means the Division of Finance, created in Section
235 [63A-3-101](#).

236 (7) (a) "Eligible bed day" means a day spent by a state probationary inmate or a state
237 parole inmate in a county correctional facility that is eligible for reimbursement under Section
238 [64-13e-104](#).

239 (b) "Eligible bed day" includes:

240 (i) a condition of probation day;

241 (ii) a parole hold day;

242 (iii) a parole sanction day; and

243 (iv) a probation sanction day.

244 (8) (a) "Parole hold day" means a day spent in a county correctional facility by a state
245 parole inmate under Subsection 64-13-29(3) based on a suspected violation of the state parole
246 inmate's terms of parole.

247 (b) "Parole hold day" does not include a day spent in a county correctional facility by a
248 state parole inmate:

249 (i) after the state parole inmate has spent 72 hours, excluding weekends and holidays,
250 for a single suspected violation of the state parole inmate's terms of parole; or

251 (ii) as a parole sanction day.

252 (9) (a) "Parole sanction day" means a day spent in a county correctional facility by a
253 state parole inmate as a sanction under Subsection 64-13-6(2) for a violation of the state parole
254 inmate's terms of parole.

255 (b) "Parole sanction day" includes not more than three consecutive days and not more
256 than a total of five days within a period of 30 days for each sanction.

257 (c) "Parole sanction day" does not include a parole hold day.

258 (10) (a) "Probation sanction day" means a day spent in a county correctional facility by
259 a state probationary inmate as a sanction under Subsection 64-13-6(2) based on a violation of
260 the state probationary inmate's terms of probation.

261 (b) "Probation sanction day" includes not more than three consecutive days and not
262 more than a total of five days within a period of 30 days for each sanction.

263 (c) "Probation sanction day" does not include:

264 (i) a condition of probation day; or

265 (ii) a day spent in a county correctional facility by a state probationary inmate under
266 Subsection 64-13-29(3) based on a suspected violation of the state probationary inmate's terms
267 of probation.

268 [~~(7) "Final county daily incarceration rate" means the amount equal to:~~]

269 [~~(a) the amount appropriated by the Legislature for the purpose of making payments to~~
270 ~~counties under Section 64-13c-104; divided by]~~

271 [~~(b) the average annual inmate jail days for the preceding five fiscal years.]~~

272 [~~(8) "Jail daily incarceration costs" means the following daily costs incurred by a~~
273 ~~county jail for housing a state probationary inmate on behalf of the department:]~~

- 274 ~~[(a) executive overhead;]~~
- 275 ~~[(b) administrative overhead;]~~
- 276 ~~[(c) transportation overhead;]~~
- 277 ~~[(d) division overhead; and]~~
- 278 ~~[(e) motor pool expenses.]~~

279 ~~[(9)]~~ (11) "State daily incarceration rate" means the average daily incarceration rate,
280 calculated by the department based on the previous three fiscal years, that reflects the following
281 expenses incurred by the department for housing an inmate:

- 282 (a) executive overhead;
- 283 (b) administrative overhead;
- 284 (c) transportation overhead;
- 285 (d) division overhead; and
- 286 (e) motor pool expenses.

287 ~~[(10)]~~ (12) "State inmate" means an individual, other than a state probationary inmate
288 or state parole inmate, who is committed to the custody of the department.

289 ~~[(11)]~~ (13) "State parole inmate" means an individual who is:

- 290 (a) on parole, as defined in Section 77-27-1; and
- 291 (b) housed in a county correctional facility for a reason related to the individual's
292 parole.

293 ~~[(12)]~~ (14) "State probationary inmate" means a felony probationer sentenced to time in
294 a county correctional facility under Subsection 77-18-105(6).

295 ~~[(13)]~~ (15) "Treatment program" means:

- 296 (a) an alcohol treatment program;
- 297 (b) a substance abuse treatment program;
- 298 (c) a sex offender treatment program; or
- 299 (d) an alternative treatment program.

300 Section 6. Section ~~64-13e-103.1~~ is amended to read:

301 **~~64-13e-103.1. Calculating the state incarceration rate.~~**

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

- 303 (a) calculate the state daily incarceration rate; and
- 304 (b) inform each county and ~~[CCH]~~ the commission of the state daily incarceration rate.

305 (2) The state daily incarceration rate may not be less than the rate presented to the
 306 Executive Appropriations Committee of the Legislature for purposes of setting the
 307 appropriation for the department's budget.

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

309 **64-13e-104. County correctional facility reimbursement program for state**
 310 **probationary inmates and state parole inmates -- Payments.**

311 ~~[(1) (a) A county shall accept and house a state probationary inmate or a state parole~~
 312 ~~inmate in a county correctional facility, subject to available resources.]~~

313 ~~[(b) A county may release a number of inmates from a county correctional facility, but~~
 314 ~~not to exceed the number of state probationary inmates in excess of the number of inmates~~
 315 ~~funded by the appropriation authorized in Subsection (2) if:]~~

316 ~~[(i) the state does not fully comply with the provisions of Subsection (9) for the most~~
 317 ~~current fiscal year; or]~~

318 ~~[(ii) funds appropriated by the Legislature for this purpose are less than 50% of the~~
 319 ~~actual county daily incarceration rate.]~~

320 ~~[(2)]~~ (1) A county may receive reimbursement from the state for the county's eligible
 321 bed days as described in this section.

322 (2) Within funds appropriated by the Legislature for [this] the purpose described in
 323 Subsection (1), the [Division of Finance] division shall:

324 (a) pay a county [that houses a state probationary inmate or a state parole inmate] for
 325 the county's eligible bed days at a rate of [47.89%] 50% of the [actual county] state daily
 326 incarceration rate; and

327 (b) administer the payments under this section.

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

329 (a) are nonlapsing;

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

332 (c) may not be used for:

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

334 (ii) payment of county correctional facility contract costs for state inmates under
 335 Section ~~64-13e-103~~.

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

338 (5) ~~[(a) The Division of Finance shall administer the payment described in Subsection~~
339 ~~(2) and Subsection (10).]~~

340 ~~[(b) In accordance with Subsection (9), CCJJ shall, by rule made pursuant]~~ The
341 commission may adopt, according to Title 63G, Chapter 3, Utah Administrative Rulemaking
342 Act, [establish] rules to administer this section, including establishing requirements and
343 procedures for collecting data from counties for the purpose of completing the calculations
344 described in this section.

345 ~~[(c) Notwithstanding any other provision of this section, CCJJ shall adjust the amount~~
346 ~~of the payments described in Subsection (7)(b), on a pro rata basis, to ensure that the total~~
347 ~~amount of the payments made does not exceed the amount appropriated by the Legislature for~~
348 ~~the payments.]~~

349 (6) Each county that receives the payment described in Subsection (2) ~~[and Subsection~~
350 ~~(10) shall:]~~ shall submit a report to the commission in accordance with the requirements
351 established by the commission.

352 ~~[(a) on at least a monthly basis, submit a report to CCJJ that includes:]~~

353 ~~[(i) the number of state probationary inmates and state parole inmates the county~~
354 ~~housed under this section;]~~

355 ~~[(ii) the total number of state probationary inmate days of incarceration and state parole~~
356 ~~inmate days of incarceration that were provided by the county;]~~

357 ~~[(iii) the total number of offenders housed pursuant to Subsection 64-13-21(2)(b); and]~~

358 ~~[(iv) the total number of days of incarceration of offenders housed pursuant to~~
359 ~~Subsection 64-13-21(2)(b); and]~~

360 ~~[(b) before September 15 of every third year beginning in 2022, calculate and inform~~
361 ~~CCJJ of the county's jail daily incarceration costs for the preceding fiscal year.]~~

362 (7) (a) On or before September 30 of each year, ~~[CCJJ]~~ the commission shall:

363 (i) compile the information from the reports described in Subsection ~~[(6)(a)]~~ (6) that
364 relate to the preceding state fiscal year and provide a copy of the compilation to each county
365 that submitted a report; and

366 (ii) calculate:

367 (A) [~~the actual county incarceration rate, based on the most recent year that data was~~
 368 ~~reported in accordance with Subsection (6)(b)] the eligible bed days for each county; and~~

369 (B) [~~the final county incarceration rate]~~ the amount owed to each county based on the
 370 county's eligible bed days in accordance with Subsection (2).

371 (b) On or before October 15 of each year, [~~CCJF]~~ the commission shall inform the
 372 [~~Division of Finance]~~ division and each county of [~~:(i) the actual county incarceration rate; (ii)~~
 373 ~~the final county incarceration rate; and (iii)]~~ the exact amount of the payment described in this
 374 section that shall be made to each county.

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

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

381 [~~(b) if funds are available, the total number of days of incarceration of offenders~~
 382 ~~housed pursuant to Subsection 64-13-21(2)(b);]~~

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

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

389 **64-13e-105. Subcommittee on County Correctional Facility Contracting and**
 390 **Reimbursement -- Purpose -- Responsibilities -- Membership.**

391 (1) There is created within [~~CCJF]~~ the commission, the Subcommittee on County
 392 Correctional Facility Contracting and Reimbursement consisting of the individuals listed in
 393 Subsection (3).

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

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

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

398 ~~[(e)]~~ (b) county correctional facility contracting and reimbursement processes and
399 goals, including the creation of a comprehensive statewide system of county correctional
400 facility contracting and reimbursement;

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

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

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

405 ~~[(g)]~~ (f) proposals to reduce recidivism;

406 ~~[(h)]~~ (g) enhancing partnerships to improve law enforcement and incarceration
407 programs;

408 ~~[(i)]~~ (h) inmate transportation costs; and

409 ~~[(j)]~~ (i) the compilation described in Subsection [64-13e-104\(7\)](#).

410 (3) The membership of the subcommittee shall consist of the following nine members:

411 (a) as designated by the Utah Sheriffs' Association:

412 (i) one sheriff of a county that is currently under contract with the department to house
413 state inmates; and

414 (ii) one sheriff of a county that is currently receiving reimbursement from the
415 department for housing state probationary inmates or state parole inmates;

416 (b) the executive director of the department or the executive director's designee;

417 (c) as designated by the Utah Association of Counties:

418 (i) one member of the legislative body of one county that is currently under contract
419 with the department to house state inmates; and

420 (ii) one member of the legislative body of one county that is currently receiving
421 reimbursement for housing state probationary inmates or state parole inmates;

422 (d) the executive director of ~~[(CCH)]~~ the commission or the executive director's
423 designee;

424 (e) one member of the House of Representatives, appointed by the speaker of the
425 House of Representatives;

426 (f) one member of the Senate, appointed by the president of the Senate; and

427 (g) the executive director of the Governor's Office of Planning and Budget or the
428 executive director's designee.

429 (4) The subcommittee shall report to the Law Enforcement and Criminal Justice
430 Interim Committee in November ~~[2023 and 2024 on progress and efforts to create and~~
431 ~~implement a]~~ of each year on the status of the comprehensive statewide county correctional
432 facility reimbursement and contracting system.

433 (5) The subcommittee shall report to the Executive Offices and Criminal Justice
434 Appropriations Subcommittee not later than October 31 ~~[in 2022, 2023, and 2024]~~ of each year
435 on costs associated with ~~[creating and implementing a]~~ the comprehensive statewide county
436 correctional facility reimbursement and contracting system established in this chapter.

437 (6) (a) A member who is not a legislator may not receive compensation or benefits for
438 the member's service, but may receive per diem and travel expenses as allowed in:

439 (i) Section [63A-3-106](#);

440 (ii) Section [63A-3-107](#); and

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

443 (b) Compensation and expenses of a member who is a legislator are governed by
444 Section [36-2-2](#) and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

445 Section 9. **Repealer.**

446 This bill repeals:

447 Section [64-13e-103.2](#), **State daily incarceration rate -- Limits -- Payments to county**
448 **correctional facilities for state probationary and state parole inmates.**

449 Section 10. **Effective date.**

450 This bill takes effect on July 1, 2024.