

1 State of Arkansas  
2 93rd General Assembly  
3 Fiscal Session, 2022  
4  
5 By: Representative Rye

HR 1016

6  
7 **HOUSE RESOLUTION**

8 TO AUTHORIZE THE INTRODUCTION OF A NONAPPROPRIATION  
9 BILL TO REQUIRE THE DIVISION OF CORRECTION AND THE  
10 DIVISION OF COMMUNITY CORRECTION TO REIMBURSE A  
11 COUNTY JAIL FOR THE ACTUAL COST OF HOUSING A STATE  
12 INMATE IN THE COUNTY JAIL.

13  
14  
15 **Subtitle**

16 TO AUTHORIZE THE INTRODUCTION OF A  
17 NONAPPROPRIATION BILL CONCERNING  
18 REIMBURSEMENT FOR HOUSING A STATE INMATE  
19 IN THE COUNTY JAIL.

20  
21  
22 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL  
23 ASSEMBLY OF THE STATE OF ARKANSAS:

24  
25 THAT Representative Rye is authorized to introduce a bill which as  
26 introduced will read substantially as follows:

27  
28 "Title

29 AN ACT TO REQUIRE THE DIVISION OF CORRECTION AND THE DIVISION OF COMMUNITY  
30 CORRECTION TO REIMBURSE A COUNTY JAIL FOR THE ACTUAL COST OF HOUSING A STATE  
31 INMATE IN THE COUNTY JAIL; AND FOR OTHER PURPOSES.

32  
33 Subtitle

34 TO REQUIRE THE DIVISION OF CORRECTION AND THE DIVISION OF COMMUNITY  
35 CORRECTION TO REIMBURSE A COUNTY JAIL FOR THE ACTUAL COST OF HOUSING A STATE  
36 INMATE IN THE COUNTY JAIL.



1  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

3  
4 SECTION 1. Arkansas Code § 12-27-114(a), concerning county jail  
5 reimbursement for housing a state inmate, is amended to read as follows:

6 (a)(1)(A)(i) In the event the ~~Department~~ Division of Correction cannot  
7 accept inmates from county jails due to insufficient bed space, the  
8 ~~Department~~ Division of Correction shall reimburse the counties from the  
9 County Jail Reimbursement Fund ~~at rates determined by the Chief Fiscal~~  
10 ~~Officer of the State, after consultation with Arkansas Legislative Audit and~~  
11 ~~the Department of Correction and upon approval by the Governor, until the~~  
12 ~~appropriation and funding provided for that purpose are exhausted~~ for the  
13 actual cost of housing the inmate in the county jail.

14 (ii) The reimbursement rate shall include the  
15 county's cost of transporting the inmates to the ~~Department~~ Division of  
16 Correction.

17 (iii) The county sheriff shall determine the actual  
18 cost of housing a state inmate in the county jail.

19 (B)(i) Reimbursement shall begin on the date of sentencing  
20 if the judgment and commitment order is received by the ~~Department~~ Division  
21 of Correction not later than twenty-one (21) days from the sentencing date.

22 (ii) If the judgment and commitment order is  
23 received by the ~~Department~~ Division of Correction twenty-two (22) or more  
24 days after the sentencing date, reimbursement shall begin on the date the  
25 ~~Department~~ Division of Correction receives the judgment and commitment order.

26 (2)(A)(i) In the event the ~~Department~~ Division of Community  
27 Correction cannot accept inmates from county jails due to insufficient bed  
28 space or ~~shall have~~ has an inmate confined in a county jail under any  
29 prerelease program or sanction imposed in response to a violation of  
30 supervision conditions, the ~~Department~~ Division of Community Correction shall  
31 reimburse the counties from the fund ~~at rates determined by the Chief Fiscal~~  
32 ~~Officer of the State, after consultation with Arkansas Legislative Audit and~~  
33 ~~the Department of Correction, and upon approval by the Governor, until the~~  
34 ~~appropriation and funding provided for that purpose are exhausted~~ for the  
35 actual cost of housing the inmate in the county jail.

36 (ii) The county sheriff shall determine the actual

1 cost of housing a state inmate in the county jail.

2 (B)(i) Reimbursement shall begin on either the date of  
3 sentencing or the date of placement on probation accompanied with  
4 incarceration in the ~~Department~~ Division of Community Correction if the  
5 judgment and commitment order or the judgment and disposition order,  
6 whichever is applicable, is received by the ~~Department~~ Division of Community  
7 Correction not later than twenty-one (21) days from either the date of  
8 sentencing or the date of placement on probation accompanied with  
9 incarceration in the ~~Department~~ Division of Community Correction.

10 (ii) If the judgment and commitment order or the  
11 judgment and disposition order, whichever is applicable, is received by the  
12 ~~Department~~ Division of Community Correction twenty-two (22) or more days  
13 after the date of sentencing or the date of placement on probation  
14 accompanied with incarceration in the ~~Department~~ Division of Community  
15 Correction, reimbursement shall begin on the date the ~~Department~~ Division of  
16 Community Correction receives either the judgment and commitment order or the  
17 judgment and disposition order, whichever is applicable."

18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36