

1 State of Arkansas  
2 93rd General Assembly  
3 Fiscal Session, 2022  
4  
5 By: Senator M. Johnson

SR 17

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7 **SENATE 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.

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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.

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22 BE IT RESOLVED BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE  
23 STATE OF ARKANSAS:

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

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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.



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

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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."

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