

1 **SENATE FLOOR VERSION**

2 February 20, 2025

3 **AS AMENDED**

4 SENATE BILL NO. 85

By: Weaver of the Senate

and

Caldwell (Trey) of the
House

8 **[county jails - reimbursement rates - obsolete
implementation requirement - effective date]**

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 57 O.S. 2021, Section 38, is
14 amended to read as follows:

15 Section 38. The Department of Corrections shall reimburse any
16 county which is required to retain an inmate pursuant to subsection
17 ~~E F~~ of Section 37 of this title in an amount not to exceed ~~Twenty-~~
18 ~~seven Dollars (\$27.00)~~ Thirty-two Dollars (\$32.00) per day for each
19 inmate during such period of retention, unless the actual daily cost
20 ~~as determined by the Department of Corrections Daily Rate as defined~~
21 ~~in this section,~~ exceeds ~~Twenty-seven Dollars (\$27.00)~~ Thirty-two
22 Dollars (\$32.00). If the actual daily cost as determined by the
23 ~~Department of Corrections Daily Rate~~ county exceeds ~~Twenty-seven~~
24 ~~Dollars (\$27.00)~~ Thirty-two Dollars (\$32.00), the county shall

1 notify the Department of Corrections of the actual daily cost no
2 later than September 30. If the county's actual daily cost is
3 accepted by the Department ~~that~~, such amount shall be the
4 reimbursement rate for the county beginning the next fiscal year.
5 If the Department rejects the county's actual daily cost
6 application, ~~then~~ the actual daily cost reimbursement shall be
7 determined by the State Auditor and Inspector and shall be imposed
8 beginning the next fiscal year. The Department shall distribute the
9 reimbursement on a monthly basis upon receipt and approval of a
10 billing statement from the county. The county shall use the
11 reimbursement to defray expenses of equipping and maintaining the
12 jail and payment of personnel. ~~The provisions in this act shall be~~
13 ~~implemented by the Department to allow sufficient time for~~
14 ~~application to FY-2019.~~ The Department of Corrections shall
15 reimburse the county for the emergency medical care for physical
16 injury or illness of the inmate retained under this ~~act~~ section if
17 the injury or illness is directly related to the incarceration and
18 the county is required by law to provide such care for inmates in
19 the jail. The Department shall not pay fees for medical care in
20 excess of the rates established for Medicaid providers. The state
21 shall not be liable for medical charges in excess of the Medicaid
22 scheduled rate. The ~~Director~~ Department may accept any inmate
23 required to have extended medical care upon application of the
24 county.

1 SECTION 2. This act shall become effective November 1, 2025.

2 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
3 February 20, 2025 - DO PASS AS AMENDED
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