

1 **COUNTY CORRECTIONAL FACILITY REIMBURSEMENT**

2 **AMENDMENTS**

3 2024 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Derrin R. Owens**

6 House Sponsor: Jefferson S. Burton

7

8 **LONG TITLE**

9 **General Description:**

10 This bill concerns county correctional facility reimbursement.

11 **Highlighted Provisions:**

12 This bill:

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

19 **Money Appropriated in this Bill:**

20 This bill appropriates in fiscal year 2025:

- 21 ▶ to Governor's Office - CCJJ - Jail Reimbursement - Jail Reimbursement as a
- 22 one-time appropriation:
- 23 • from the General Fund, One-time, ~~Ĥ→ [\$1,500,000]~~ \$1,000,000 ←Ĥ

24 **Other Special Clauses:**

25 This bill provides a special effective date.

26 **Utah Code Sections Affected:**

27 AMENDS:



28 **63A-16-1002**, as last amended by Laws of Utah 2023, Chapters 158, 161, 382, and 448
 29 **63I-2-263**, as last amended by Laws of Utah 2023, Chapters 33, 139, 212, 354, and 530
 30 **63I-2-264**, as last amended by Laws of Utah 2021, Chapter 366
 31 **63J-1-602.2 (Effective 07/01/24)**, as last amended by Laws of Utah 2023, Chapters 33,
 32 34, 134, 139, 180, 212, 246, 310, 330, 345, 354, and 534
 33 **64-13e-102**, as last amended by Laws of Utah 2023, Chapter 246
 34 **64-13e-103.1**, as last amended by Laws of Utah 2023, Chapter 246
 35 **64-13e-104**, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 20
 36 **64-13e-105**, as last amended by Laws of Utah 2023, Chapter 246

37 REPEALS:

38 **64-13e-103.2**, as last amended by Laws of Utah 2023, Chapter 246



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

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

42 **63A-16-1002. Criminal and juvenile justice database.**

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

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

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

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

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

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

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

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

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

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

60 (a) Section 13-53-111, recidivism reporting requirements;

61 (b) Section 17-22-32, county jail reporting requirements;

62 (c) Section 17-55-201, Criminal Justice Coordinating Councils reporting;

63 (d) Section 41-6a-511, courts to collect and maintain data;

64 (e) Section 53-23-101, reporting requirements for reverse-location warrants;

65 (f) Section 53-24-102, sexual assault offense reporting requirements for law
66 enforcement agencies;

67 (g) Section 63M-7-214, law enforcement agency grant reporting;

68 (h) Section 63M-7-216, prosecutorial data collection;

69 (i) Section 64-13-21, supervision of sentenced offenders placed in community;

70 (j) Section 64-13-25, standards for programs;

71 (k) Section 64-13-45, department reporting requirements;

72 (l) Section 64-13e-104, [~~housing of~~] county correctional facility reimbursement
73 program for state probationary inmates [or] and state parole inmates;

74 (m) Section 77-7-8.5, use of tactical groups;

75 (n) Section 77-11b-404, forfeiture reporting requirements;

76 (o) Section 77-20-103, release data requirements;

77 (p) Section 77-22-2.5, court orders for criminal investigations;

78 (q) Section 78A-2-109.5, court demographics reporting;

79 (r) Section 80-6-104, data collection on offenses committed by minors; and

80 (s) any other statutes which require the collection of specific data and the reporting of
81 that data to the commission.

82 (6) The commission shall report:

83 (a) progress on the database, including creation, configuration, and data entered, to the
84 Law Enforcement and Criminal Justice Interim Committee not later than November 2022; and

85 (b) all data collected as of December 31, 2022, to the Law Enforcement and Criminal
86 Justice Interim Committee, the House Law Enforcement and Criminal Justice Standing
87 Committee, and the Senate Judiciary, Law Enforcement and Criminal Justice Standing
88 Committee not later than January 16, 2023.

89 Section 2. Section 63I-2-263 is amended to read:

90 **63I-2-263. Repeal dates: Title 63A to Title 63N.**

91 (1) Title 63A, Chapter 2, Part 5, Educational Interpretation and Translation Services
92 Procurement Advisory Council is repealed July 1, 2025.

93 (2) Section 63A-17-303 is repealed July 1, 2023.

94 (3) Section [63A-17-806](#) is repealed June 30, 2026.

95 (4) Title 63C, Chapter 22, Digital Wellness, Citizenship, and Safe Technology
96 Commission is repealed July 1, 2023.

97 (5) Section [63H-7a-303](#) is repealed July 1, 2024.

98 (6) Subsection [63H-7a-403\(2\)\(b\)](#), regarding the charge to maintain the public safety
99 communications network, is repealed July 1, 2033.

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

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

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

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

107 **63I-2-264. Repeal dates: Title 64.**

108 ~~[(1) Section [64-13c-103.2](#) is repealed June 30, 2024.]~~

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

110 **63J-1-602.2 (Effective 07/01/24). List of nonlapsing appropriations to programs.**

111 Appropriations made to the following programs are nonlapsing:

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

113 (2) The State Board of Education, including all appropriations to agencies, line items,
114 and programs under the jurisdiction of the State Board of Education, in accordance with
115 Section [53F-9-103](#).

116 (3) The Rangeland Improvement Act created in Section [4-20-101](#).

117 (4) The Percent-for-Art Program created in Section [9-6-404](#).

118 (5) The LeRay McAllister Working Farm and Ranch Fund created in Section [4-46-301](#).

119 (6) The Utah Lake Authority created in Section [11-65-201](#).

120 (7) Dedicated credits accrued to the Utah Marriage Commission as provided under

- 121 Subsection 17-16-21(2)(d)(ii).
- 122 (8) The Wildlife Land and Water Acquisition Program created in Section 23A-6-205.
- 123 (9) Sanctions collected as dedicated credits from Medicaid providers under Subsection
- 124 26B-3-108(7).
- 125 (10) The primary care grant program created in Section 26B-4-310.
- 126 (11) The Opiate Overdose Outreach Pilot Program created in Section 26B-4-512.
- 127 (12) The Utah Health Care Workforce Financial Assistance Program created in Section
- 128 26B-4-702.
- 129 (13) The Rural Physician Loan Repayment Program created in Section 26B-4-703.
- 130 (14) The Utah Medical Education Council for the:
- 131 (a) administration of the Utah Medical Education Program created in Section
- 132 26B-4-707;
- 133 (b) provision of medical residency grants described in Section 26B-4-711; and
- 134 (c) provision of the forensic psychiatric fellowship grant described in Section
- 135 26B-4-712.
- 136 (15) The Division of Services for People with Disabilities, as provided in Section
- 137 26B-6-402.
- 138 (16) Funds that the Department of Alcoholic Beverage Services retains in accordance
- 139 with Subsection 32B-2-301(8)(a) or (b).
- 140 (17) The General Assistance program administered by the Department of Workforce
- 141 Services, as provided in Section 35A-3-401.
- 142 (18) The Utah National Guard, created in Title 39A, National Guard and Militia Act.
- 143 (19) The Search and Rescue Financial Assistance Program, as provided in Section
- 144 53-2a-1102.
- 145 (20) The Emergency Medical Services Grant Program in Section 53-2d-207.
- 146 (21) The Motorcycle Rider Education Program, as provided in Section 53-3-905.
- 147 (22) The Utah Board of Higher Education for teacher preparation programs, as
- 148 provided in Section 53B-6-104.
- 149 (23) Innovation grants under Section 53G-10-608, except as provided in Subsection
- 150 53G-10-608(6).
- 151 (24) The Division of Fleet Operations for the purpose of upgrading underground

- 152 storage tanks under Section [63A-9-401](#).
- 153 (25) The Utah Seismic Safety Commission, as provided in Section [63C-6-104](#).
- 154 (26) The Division of Technology Services for technology innovation as provided under
155 Section [63A-16-903](#).
- 156 (27) The State Capitol Preservation Board created by Section [63C-9-201](#).
- 157 (28) The Office of Administrative Rules for publishing, as provided in Section
158 [63G-3-402](#).
- 159 (29) The Colorado River Authority of Utah, created in Title 63M, Chapter 14,
160 Colorado River Authority of Utah Act.
- 161 (30) The Governor's Office of Economic Opportunity to fund the Enterprise Zone Act,
162 as provided in Title 63N, Chapter 2, Part 2, Enterprise Zone Act.
- 163 (31) The Governor's Office of Economic Opportunity's Rural Employment Expansion
164 Program, as described in Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program.
- 165 (32) County correctional facility contracting program for state inmates as described in
166 Section [64-13e-103](#).
- 167 (33) County correctional facility reimbursement program for state probationary inmates
168 and state parole inmates as described in Section [64-13e-104](#).
- 169 [~~33~~] (34) Programs for the Jordan River Recreation Area as described in Section
170 [65A-2-8](#).
- 171 [~~34~~] (35) The Division of Human Resource Management user training program, as
172 provided in Section [63A-17-106](#).
- 173 [~~35~~] (36) A public safety answering point's emergency telecommunications service
174 fund, as provided in Section [69-2-301](#).
- 175 [~~36~~] (37) The Traffic Noise Abatement Program created in Section [72-6-112](#).
- 176 [~~37~~] (38) The money appropriated from the Navajo Water Rights Negotiation
177 Account to the Division of Water Rights, created in Section [73-2-1.1](#), for purposes of
178 participating in a settlement of federal reserved water right claims.
- 179 [~~38~~] (39) The Judicial Council for compensation for special prosecutors, as provided
180 in Section [77-10a-19](#).
- 181 [~~39~~] (40) A state rehabilitative employment program, as provided in Section
182 [78A-6-210](#).

183 [(40)] (41) The Utah Geological Survey, as provided in Section 79-3-401.

184 [(41)] (42) The Bonneville Shoreline Trail Program created under Section 79-5-503.

185 [(42)] (43) Adoption document access as provided in Sections 78B-6-141, 78B-6-144,

186 and 78B-6-144.5.

187 [(43)] (44) Indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent

188 Defense Commission.

189 [(44)] (45) The program established by the Division of Facilities Construction and

190 Management under Section 63A-5b-703 under which state agencies receive an appropriation

191 and pay lease payments for the use and occupancy of buildings owned by the Division of

192 Facilities Construction and Management.

193 [(45)] (46) The State Tax Commission for reimbursing counties for deferred property

194 taxes in accordance with Section 59-2-1802.5.

195 [(46)] (47) The Veterinarian Education Loan Repayment Program created in Section

196 4-2-902.

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

198 **64-13e-102. Definitions.**

199 As used in this chapter:

200 [(1) "Actual county daily incarceration rate" means the median amount of jail daily

201 incarceration costs based on the data submitted by counties in accordance with Subsection

202 64-13e-104(6)(b).]

203 [(2)] (1) "Alternative treatment program" means:

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

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

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

207 (ii) a degree-granting institution acting in the degree-granting institution's technical

208 education role described in Section 53B-2a-201.

209 [(3) "Annual inmate jail days" means the total number of state probationary inmates

210 housed in a county jail each day for the preceding fiscal year.]

211 [(4)] (2) ["CCJJ"] "Board" means the Board of Pardons and Parole.

212 (3) "Commission" means the State Commission on Criminal and Juvenile Justice,

213 created in Section 63M-7-201.

214 (4) (a) "Condition of probation day" means a day spent by a state probationary inmate
215 in a county correctional facility as a condition of probation.

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

218 (i) after the date of sentencing;

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

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

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

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

226 (i) as a probation sanction day;

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

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

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

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

234 (A) sentenced to prison; or

235 (B) eligible for release.

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

237 (6) "Division [~~of Finance~~]" means the Division of Finance, created in Section
238 [63A-3-101](#).

239 (7) (a) "Eligible bed day" means a day spent by a state probationary inmate or a state
240 parole inmate in a county correctional facility that is eligible for reimbursement under Section
241 [64-13e-104](#).

242 (b) "Eligible bed day" includes:

243 (i) a condition of probation day;

244 (ii) a parole hold day;

245 (iii) a parole sanction day; and

246 (iv) a probation sanction day.

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

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

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

254 (ii) as a parole sanction day.

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

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

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

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

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

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

267 (i) a condition of probation day; or

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

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

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

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

275 ~~[(8) "Jail daily incarceration costs" means the following daily costs incurred by a~~

276 ~~county jail for housing a state probationary inmate on behalf of the department:]~~

277 ~~[(a) executive overhead;]~~

278 ~~[(b) administrative overhead;]~~

279 ~~[(c) transportation overhead;]~~

280 ~~[(d) division overhead; and]~~

281 ~~[(e) motor pool expenses.]~~

282 ~~[(9)]~~ (11) "State daily incarceration rate" means the average daily incarceration rate,
 283 calculated by the department based on the previous three fiscal years, that reflects the following
 284 expenses incurred by the department for housing an inmate:

285 (a) executive overhead;

286 (b) administrative overhead;

287 (c) transportation overhead;

288 (d) division overhead; and

289 (e) motor pool expenses.

290 ~~[(10)]~~ (12) "State inmate" means an individual, other than a state probationary inmate
 291 or state parole inmate, who is committed to the custody of the department.

292 ~~[(11)]~~ (13) "State parole inmate" means an individual who is:

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

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

296 ~~[(12)]~~ (14) "State probationary inmate" means a felony probationer sentenced to time in
 297 a county correctional facility under Subsection 77-18-105(6).

298 ~~[(13)]~~ (15) "Treatment program" means:

299 (a) an alcohol treatment program;

300 (b) a substance abuse treatment program;

301 (c) a sex offender treatment program; or

302 (d) an alternative treatment program.

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

304 **64-13e-103.1. Calculating the state incarceration rate.**

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

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

307 (b) inform each county and ~~[CCH]~~ the commission of the state daily incarceration rate.
 308 (2) The state daily incarceration rate may not be less than the rate presented to the
 309 Executive Appropriations Committee of the Legislature for purposes of setting the
 310 appropriation for the department's budget.

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

312 **64-13e-104. County correctional facility reimbursement program for state**
 313 **probationary inmates and state parole inmates -- Payments.**

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

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

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

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

323 ~~[(2)]~~ (1) A county may receive reimbursement from the state for the county's eligible
 324 bed days as described in this section.

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

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

330 (b) administer the payments under this section.

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

332 (a) are nonlapsing;

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

335 (c) may not be used for:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

369 (ii) calculate:

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

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

374 (b) On or before October 15 of each year, ~~[CCH]~~ the commission shall inform the
375 ~~[Division of Finance]~~ division and each county of[:]

376 ~~[(i) the actual county incarceration rate;]~~

377 ~~[(ii) the final county incarceration rate; and]~~

378 ~~[(iii)]~~ the exact amount of the payment described in this section that shall be made to
379 each county.

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

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

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

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

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

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

396 **64-13e-105. Subcommittee on County Correctional Facility Contracting and**
397 **Reimbursement -- Purpose -- Responsibilities -- Membership.**

398 (1) There is created within ~~[CCH]~~ the commission, the Subcommittee on County
399 Correctional Facility Contracting and Reimbursement consisting of the individuals listed in

400 Subsection (3).

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

403 (a) the state daily incarceration rate, described in Section [64-13e-103.1](#);

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

405 [~~(c)~~] (b) county correctional facility contracting and reimbursement processes and
406 goals, including the creation of a comprehensive statewide system of county correctional
407 facility contracting and reimbursement;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

429 (d) the executive director of [~~CCJF~~] the commission or the executive director's
430 designee;

431 (e) one member of the House of Representatives, appointed by the speaker of the
432 House of Representatives;

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

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

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

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

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

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

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

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

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

452 Section 9. **Repealer.**

453 This bill repeals:

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

456 Section 10. **FY 2025 Appropriation.**

457 The following sums of money are appropriated for the fiscal year beginning July 1,
458 2024, and ending June 30, 2025. These are additions to amounts previously appropriated for
459 fiscal year 2025.

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

461 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the

462 Legislature appropriates the following sums of money from the funds or accounts indicated for
463 the use and support of the government of the state of Utah.

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

From General Fund, One-time $\hat{H} \rightarrow$ [**\$1,500,000**]

465 **\$1,000,000** ←

\hat{H}

466 Schedule of Programs:

Jail Reimbursement $\hat{H} \rightarrow$ [**\$1,500,000**]

467 **\$1,000,000** ← \hat{H}

468 Section 11. **Effective date.**

469 This bill takes effect on July 1, 2024.