

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 1323

Short Title: Reimburse Inmate Costs.

(Public)

Sponsors: Representatives Justus; Nichols, Cansler, and Thompson.

Referred to: Appropriations.

May 23, 1996

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE THE DEPARTMENT OF CORRECTION TO
2 REIMBURSE LOCAL CONFINEMENT FACILITIES FOR THE EXPENSES OF
3 MAINTAINING INMATES PENDING TRANSFER TO THE STATE PRISON
4 SYSTEM.
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6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 148-29 reads as rewritten:

8 "**§ 148-29. Transportation of convicts to prison; reimbursement to counties;**
9 **sheriff's expense affidavit; ~~State not liable for maintenance expenses until~~**
10 **convict received. affidavit.**

11 The sheriff having in charge any prisoner to be taken to the Central Prison at Raleigh
12 shall send him to the Central Prison within five days after the adjournment of the court at
13 which he was sentenced, if no appeal has been taken. Beginning on the sixth day after
14 adjournment of the court in which the prisoner was sentenced and continuing through the
15 day the prisoner is received by the Division of Prisons, the Department of Correction
16 shall pay the county a standard sum set by the General Assembly in its appropriations
17 acts for the cost of providing food, clothing, personal items, supervision, and necessary
18 ordinary medical services to the prisoner awaiting transfer to the State prison system.

19 The sheriff shall file with the board of commissioners of his county a copy of his
20 affidavit as to necessary guard, together with a copy of his itemized account of expenses,

1 both certified to by him as true copies of those on file in his office. ~~The State is not liable~~
2 ~~for the expenses of maintaining convicts until they have been received by the State Department~~
3 ~~of Correction authorities, nor shall any moneys be paid out of the treasury for support of convicts~~
4 ~~prior to such reception."~~

5 Sec. 2. The Department of Correction may use funds available for the 1995-
6 96 fiscal year to pay the sum of fourteen dollars and fifty cents (\$14.50) per day as
7 reimbursement to counties for the cost of housing inmates convicted and awaiting
8 transfer to the State prison system, as provided in G.S. 148-29.

9 Sec. 3. Of the funds appropriated to the Department of Correction for the
10 1996-97 fiscal year, the sum of fourteen million six hundred thousand dollars
11 (\$14,600,000) shall be used to raise the per diem reimbursement to counties from
12 fourteen dollars and fifty cents (\$14.50) per day to forty dollars (\$40.00) per day for the
13 cost of housing inmates convicted and awaiting transfer to the State prison system, as
14 provided in G.S. 148-29. If these funds are depleted prior to the end of the fiscal year,
15 the Department of Correction may use funds available, other than lapsed salaries and
16 fringe benefits, to reimburse counties pursuant to this section.

17 Sec. 4. Sections 1 and 2 of this act are effective January 1, 1996. Section 3 of
18 this act becomes effective July 1, 1996.