

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 1327

Short Title: DOC Reimbursement.

(Public)

Sponsors: Representatives Davis, W. Brown, and Pate.

Referred to: Appropriations.

May 23, 1996

A BILL TO BE ENTITLED

1 AN ACT TO DIRECT THE DEPARTMENT OF CORRECTION TO REIMBURSE
2 COUNTIES FOR HOUSING AND TRANSPORTATION COSTS FOR INMATES
3 AWAITING TRANSFER TO THE STATE PRISON SYSTEM.
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5 The General Assembly of North Carolina enacts:

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

7 "**§ 148-29. Transportation of convicts to prison; reimbursement to counties for**
8 **delays in transfer; sheriff's expense affidavit; ~~State not liable for maintenance~~**
9 **expenses until convict received. affidavit.**

10 The sheriff having in charge any prisoner to be taken to the Central Prison at Raleigh
11 shall send him to the Central Prison within five days after the adjournment of the court at
12 which he was sentenced, if no appeal has been taken. Beginning on the sixth day after
13 adjournment of the court in which the prisoner was sentenced and continuing through the
14 day the prisoner is received by the Division of Prisons, the Department of Correction
15 shall pay the county the sum of forty dollars (\$40.00) per day per inmate for the cost of
16 providing food, clothing, personal items, supervision, and necessary ordinary medical
17 services to the inmate awaiting transfer to the State prison system, except that no
18 payment shall be made for the day the prisoner is received by the Division of Prisons if
19 the prisoner is received by noon of that day. For any prisoner not received by the
20 Division of Prisons within the five-day period and for which the county provides

1 transportation, the Department shall also pay the county transportation costs at the rate of
2 twenty-five cents (25¢) per mile.

3 The sheriff shall file with the board of commissioners of his county a copy of his
4 affidavit as to necessary guard, together with a copy of his itemized account of expenses,
5 both certified to by him as true copies of those on file in his office. ~~The State is not liable~~
6 ~~for the expenses of maintaining convicts until they have been received by the State Department~~
7 ~~of Correction authorities, nor shall any moneys be paid out of the treasury for support of convicts~~
8 ~~prior to such reception."~~

9 Sec. 2. This act becomes effective July 1, 1996, and applies to prisoners
10 sentenced on or after that date.