

SB21-273

SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Cooke

1 Amend printed bill, page 8, line 23, strike "and (4)" and substitute "(4),
2 and (5)".

3 Page 10, after line 27 insert:

4 "(5) (a) EACH COUNTY JAIL SHALL SUBMIT A REPORT CONTAINING
5 THE FOLLOWING INFORMATION ON JANUARY 2, 2022, AND EACH YEAR
6 THEREAFTER, TO THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT
7 OF PUBLIC SAFETY:

8 (I) THE JAIL'S AVERAGE DAILY POPULATION;

9 (II) THE JAIL'S HIGHEST ONE-DAY POPULATION COUNT IN THE LAST
10 YEAR; AND

11 (III) THE NUMBER OF INMATES IN THE JAIL WHO HAVE:

12 (A) ONE PREVIOUS CONVICTION; AND

13 (B) TWO PREVIOUS CONVICTIONS OR MORE.

14 (b) EACH JUDICIAL DISTRICT SHALL SUBMIT A REPORT CONTAINING
15 THE FOLLOWING INFORMATION ON JANUARY 2, 2022, AND EACH YEAR
16 THEREAFTER, TO THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT
17 OF PUBLIC SAFETY:

18 (I) THE NUMBER OF FAILURES TO APPEAR IN THE LAST YEAR;

19 (II) THE NUMBER OF PERSONAL RECOGNIZANCE BONDS ISSUED AND
20 THE NUMBER OF THOSE PERSONAL RECOGNIZANCE BONDS THAT WERE
21 ISSUED ON MISDEMEANOR CHARGES AND THE NUMBER OF THOSE ISSUED
22 ON FELONY CHARGES. IF THE CASE INVOLVED BOTH MISDEMEANORS AND
23 FELONIES, THE CASE MUST BE REPORTED AS A FELONY.

24 (III) THE NUMBER OF CASH BONDS ISSUED AND THE NUMBER OF
25 THOSE CASH BONDS THAT WERE ISSUED ON MISDEMEANOR CHARGES AND
26 THE NUMBER OF THOSE ISSUED ON FELONY CHARGES. IF THE CASE
27 INVOLVED BOTH MISDEMEANORS AND FELONIES, THE CASE MUST BE
28 REPORTED AS A FELONY.

29 (IV) THE NUMBER OF DEFENDANTS WHO APPEARED BASED ON
30 SUMMONS;

31 (V) THE NUMBER OF DEFENDANTS RELEASED ON PERSONAL
32 RECOGNIZANCE BONDS WHO HAD NEW CRIMINAL CHARGES FILED AGAINST
33 THEM AFTER RELEASE THAT WERE UNRELATED TO THE INCIDENT OF THE
34 ORIGINAL CHARGES AND THE CHARGES FILED AGAINST THEM; AND

35 (VI) THE NUMBER OF FAILURES TO APPEAR ON PERSONAL
36 RECOGNIZANCE BONDS AND THE AMOUNT COLLECTED ON THOSE FAILURES
37 TO APPEAR.

38 (c) THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF
39 PUBLIC SAFETY SHALL COMPILE THE INFORMATION RECEIVED PURSUANT
40 TO SUBSECTIONS (5)(a) AND (5)(b) OF THIS SECTION, PREPARE A REPORT

1 OF THE INFORMATION, AND POST THE REPORT ON ITS WEBSITE BY JULY 1,
2 2022, AND JULY 1 OF EACH YEAR THEREAFTER.

3 (d) TWENTY-FIVE PERCENT OF THE MONEY COLLECTED WHEN
4 THERE IS A FAILURE TO APPEAR ON A PERSONAL RECOGNIZANCE BOND
5 SHALL BE TRANSFERRED TO THE JAIL POPULATION CASH FUND CREATED IN
6 SUBSECTION (5)(e) OF THIS SECTION.

7 (e) (I) THE JAIL POPULATION CASH FUND IS CREATED IN THE STATE
8 TREASURY AND IS REFERRED TO IN THIS SECTION AS THE "FUND". THE
9 FUND CONSISTS OF MONEY CREDITED TO THE FUND PURSUANT TO
10 SUBSECTION (5)(d) OF THIS SECTION AND ANY OTHER MONEY THAT THE
11 GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

12 (II) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
13 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
14 FUND TO THE FUND.

15 (III) THE STATE TREASURER SHALL CREDIT ANY UNEXPENDED AND
16 UNENCUMBERED MONEY REMAINING IN THE FUND AT THE END OF A FISCAL
17 YEAR TO THE GENERAL FUND.

18 (IV) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
19 ASSEMBLY, THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF
20 PUBLIC SAFETY MAY EXPEND MONEY FROM THE FUND TO CREATE THE
21 REPORT IN DESCRIBED IN SUBSECTION (5)(c) OF THIS SECTION."

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