

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 18-0246.01 Richard Sweetman x4333

HOUSE BILL 18-1132

HOUSE SPONSORSHIP

Michaelson Jenet,

SENATE SPONSORSHIP

Crowder,

House Committees

Judiciary

Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE AMOUNT THAT THE DEPARTMENT OF CORRECTIONS**
102 **IS REQUIRED TO REIMBURSE A COUNTY OR CITY AND COUNTY**
103 **FOR THE CONFINEMENT AND MAINTENANCE IN A LOCAL JAIL OF**
104 **ANY PERSON WHO IS SENTENCED TO A TERM OF IMPRISONMENT**
105 **IN A CORRECTIONAL FACILITY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

County Courthouse and County Jail Funding and Overcrowding Solutions Interim Study Committee. Under current law, the general assembly establishes in its annual general appropriations bill the amount that the department of corrections is required to reimburse any county or city and county for a portion of the expenses and costs incurred by that county or city and county for the confinement and maintenance in a local jail of any person who is sentenced to a term of imprisonment in a correctional facility. The bill establishes this amount in statute as \$108.78 per day.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 17-1-112, **amend (1);**
3 **and add (4)** as follows:

4 **17-1-112. Expenses - reimbursement by department - report.**

5 (1) Subject to available appropriations, the department shall reimburse
6 any county or city and county for a portion of the expenses and costs
7 incurred by that county or city and county in the confinement and
8 maintenance in a local jail of any person who is sentenced to a term of
9 imprisonment in a correctional facility. The general assembly shall
10 annually establish the amount of reimbursement in the general
11 appropriations bill, TAKING INTO CONSIDERATION THE INFORMATION
12 REPORTED PURSUANT TO SUBSECTION (4) OF THIS SECTION. Such
13 reimbursement shall be IS for each day following seventy-two hours after
14 such sentence is imposed but prior to the transmittal of the sentenced
15 inmate to a department facility. Subject to available appropriations, the
16 department may contract with any county or city and county for the
17 expenses incurred by that county or city and county in the confinement
18 and maintenance of any person who is sentenced to a term of
19 imprisonment pursuant to section 16-11-308.5. ~~C.R.S.~~

20 (4) TO ASSIST THE GENERAL ASSEMBLY IN DETERMINING THE

1 AMOUNT OF REIMBURSEMENT DESCRIBED IN SUBSECTION (1) OF THIS
2 SECTION, ON OR BEFORE JANUARY 1, 2019, AND ON OR BEFORE JANUARY
3 1 EACH YEAR THEREAFTER, EACH COUNTY AND EACH CITY AND COUNTY
4 SHALL REPORT TO THE JOINT BUDGET COMMITTEE THE AVERAGE COST OF
5 CONFINING AND MAINTAINING PERSONS IN A LOCAL JAIL FOR MORE THAN
6 SEVENTY-TWO HOURS AFTER EACH SUCH PERSON HAS BEEN SENTENCED TO
7 THE CUSTODY OF THE DEPARTMENT. ON OR BEFORE SEPTEMBER 1, 2018,
8 THE JOINT BUDGET COMMITTEE SHALL ESTABLISH GUIDELINES TO ENSURE
9 THAT EACH COUNTY AND EACH CITY AND COUNTY REPORTS COSTS
10 PURSUANT TO THIS SUBSECTION (4) IN A UNIFORM MANNER. AT A
11 MINIMUM, THE GUIDELINES MUST ALLOW EACH COUNTY AND EACH CITY
12 AND COUNTY TO REPORT COSTS IN THE FOLLOWING CATEGORIES:

- 13 (a) FOOD;
- 14 (b) CLOTHING AND LAUNDRY;
- 15 (c) MEDICAL AND BEHAVIORAL HEALTH CARE COSTS;
- 16 (d) PERSONNEL COSTS, INCLUDING SALARIES AND BENEFITS;
- 17 (e) INMATE TRANSPORTATION COSTS; AND
- 18 (f) VOCATIONAL TRAINING AND EDUCATIONAL COSTS.

19 **SECTION 2. Safety clause.** The general assembly hereby finds,
20 determines, and declares that this act is necessary for the immediate
21 preservation of the public peace, health, and safety.