

CHAPTER 163

CRIMINAL LAW AND PROCEDURE

HOUSE BILL 18-1132

BY REPRESENTATIVE(S) Michaelson Jenet, Becker J., Benavidez, Catlin, Esgar, Gray, Hamner, Hooton, Humphrey, Lontine, McKean, Roberts, Rosenthal, Valdez, Young, Duran;
also SENATOR(S) Crowder, Cooke, Coram, Court, Fields, Gardner, Kefalas, Kerr, Lambert, Lundberg, Martinez Humenik, Merrifield, Moreno, Tate, Todd, Grantham.

AN ACT

CONCERNING THE AMOUNT THAT THE DEPARTMENT OF CORRECTIONS IS REQUIRED TO REIMBURSE A 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.

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

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

17-1-112. Expenses - reimbursement by department - report. (1) Subject to available appropriations, the department shall reimburse any county or city and county for a portion of the expenses and costs incurred by that county or city and county in the confinement and maintenance in a local jail of any person who is sentenced to a term of imprisonment in a correctional facility. The general assembly shall annually establish the amount of reimbursement in the general appropriations bill, TAKING INTO CONSIDERATION THE INFORMATION REPORTED PURSUANT TO SUBSECTION (4) OF THIS SECTION. Such reimbursement ~~shall be~~ is for each day following seventy-two hours after such sentence is imposed but prior to the transmittal of the sentenced inmate to a department facility. Subject to available appropriations, the department may contract with any county or city and county for the expenses incurred by that county or city and county in the confinement and maintenance of any person who is sentenced to a term of imprisonment pursuant to section 16-11-308.5. ~~C.R.S.~~

(4) TO ASSIST THE GENERAL ASSEMBLY IN DETERMINING THE AMOUNT OF REIMBURSEMENT DESCRIBED IN SUBSECTION (1) OF THIS SECTION, ON OR BEFORE JANUARY 1, 2019, AND ON OR BEFORE JANUARY 1 EACH YEAR THEREAFTER, EACH

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

COUNTY AND EACH CITY AND COUNTY SHALL REPORT TO THE JOINT BUDGET COMMITTEE THE AVERAGE COST OF CONFINING AND MAINTAINING PERSONS IN A LOCAL JAIL FOR MORE THAN SEVENTY-TWO HOURS AFTER EACH SUCH PERSON HAS BEEN SENTENCED TO THE CUSTODY OF THE DEPARTMENT. ON OR BEFORE SEPTEMBER 1, 2018, THE JOINT BUDGET COMMITTEE SHALL ESTABLISH GUIDELINES TO ENSURE THAT EACH COUNTY AND EACH CITY AND COUNTY REPORTS COSTS PURSUANT TO THIS SUBSECTION (4) IN A UNIFORM MANNER. AT A MINIMUM, THE GUIDELINES MUST ALLOW EACH COUNTY AND EACH CITY AND COUNTY TO REPORT COSTS IN THE FOLLOWING CATEGORIES:

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

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

Approved: April 25, 2018