

House Bill 614

By: Representative Greene of the 134th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 42-5-51 of the Official Code of Georgia Annotated, relating to
2 jurisdiction over certain misdemeanor offenders, designation of place of confinement of
3 inmates, reimbursement of counties, and transfer of inmates to federal authority, so as to
4 change certain provisions relating to reimbursement rates; to repeal conflicting laws; and for
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 42-5-51 of the Official Code of Georgia Annotated, relating to jurisdiction over
9 certain misdemeanor offenders, designation of place of confinement of inmates,
10 reimbursement of counties, and transfer of inmates to federal authority, is amended by
11 striking subsection (c) and inserting in lieu thereof the following:

12 "(c) After proper documentation is received from the clerk of the court, the department
13 shall have 15 days to transfer an inmate under sentence to the place of confinement. If the
14 inmate is not transferred within the 15 days, the department will reimburse the county, in
15 a sum not less than ~~\$7.50~~ \$20.00 per day per inmate and in such an amount as may be
16 ~~appropriated for this purpose by the General Assembly~~ established by rule or regulation of
17 the board, for the cost of the incarceration, commencing 15 days after proper
18 documentation is received by the department from the clerk of the court. The amount of
19 such per diem shall not be increased in any fiscal year by a total amount that exceeds the
20 rate of increase in the Average Annual Consumer Price Index for All Urban Consumers for
21 the Atlanta Metropolitan Statistical Area as published by the Bureau of Labor Statistics of
22 the United States Department of Labor for the prior calendar year, and any increase shall
23 be subject to appropriation of sufficient funds. The reimbursement provisions of this Code
24 section shall only apply to payment for the incarceration of felony inmates available for
25 transfer to the department, except inmates under death sentence awaiting transfer after their
26 initial trial, and shall not apply to inmates who were incarcerated under the custody of the

1 commissioner at the time they were returned to the county jail for trial on additional
2 charges or returned to the county jail for any other purposes, including for the purpose of
3 a new trial."

4 **SECTION 2.**

5 All laws and parts of laws in conflict with this Act are repealed.