

House Bill 614 (COMMITTEE SUBSTITUTE)

By: Representative Greene of the 134<sup>th</sup>

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 minimum per diem shall be increased in each fiscal year by a total amount that equals  
20 or exceeds the rate of increase in the Average Annual Consumer Price Index for All Urban  
21 Consumers for the Atlanta Metropolitan Statistical Area as published by the Bureau of  
22 Labor Statistics of the United States Department of Labor for the prior calendar year, and  
23 any increase shall be subject to appropriation of sufficient funds. The reimbursement  
24 provisions of this Code section shall only apply to payment for the incarceration of felony  
25 inmates available for transfer to the department, except inmates under death sentence  
26 awaiting transfer after their initial trial, and shall not apply to inmates who were

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

4 **SECTION 2.**

5 All laws and parts of laws in conflict with this Act are repealed.