

House Bill 477

By: Representatives Holmes of the 61st, Barnes of the 78th, Jordan of the 77th, Lucas of the 139th, Smyre of the 132nd, and others

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 reimbursement of county for inmates, so as to increase the reimbursement rate paid by the
3 state to counties for housing state inmates awaiting transfer to state correctional facilities; to
4 provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 42-5-51 of the Official Code of Georgia Annotated, relating to reimbursement
8 of county for inmates, is amended by striking subsection (c) and inserting in lieu thereof a
9 new subsection (c) to read as follows:

10 "(c) After proper documentation is received from the clerk of the court, the department
11 shall have 15 days to transfer an inmate under sentence to the place of confinement. If the
12 inmate is not transferred within the 15 days, the department will reimburse the county, in
13 a sum not less than ~~\$7.50~~ \$40.00 per day per inmate and in such an amount as may be
14 appropriated for this purpose by the General Assembly, for the cost of the incarceration,
15 commencing 15 days after proper documentation is received by the department from the
16 clerk of the court. The reimbursement provisions of this Code section shall only apply to
17 payment for the incarceration of felony inmates available for transfer to the department,
18 except inmates under death sentence awaiting transfer after their initial trial, and shall not
19 apply to inmates who were incarcerated under the custody of the commissioner at the time
20 they were returned to the county jail for trial on additional charges or returned to the county
21 jail for any other purposes, including for the purpose of a new trial."

22 style="text-align:center">**SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.