

Senate Bill 433

By: Senator Thomas of the 2nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 5 of Title 42 of the Official Code of Georgia Annotated,
2 relating to conditions of detention, so as to increase the minimum reimbursement rate paid
3 to counties for housing state inmates; to provide for related matters; to provide an effective
4 date; to repeal conflicting laws; and for other purposes.

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6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 3 of Chapter 5 of Title 42 of the Official Code of Georgia Annotated, relating to
9 conditions of detention, is amended by striking subsection (c) of Code Section 42-5-51,
10 relating to jurisdiction over certain misdemeanor offenders, designation of place of
11 confinement of inmates, and reimbursement of counties for housing state inmates, and
12 inserting in its place a new subsection (c) to read as follows:

13 "(c) After proper documentation is received from the clerk of the court, the department
14 shall have 15 days to transfer an inmate under sentence to the place of confinement. If the
15 inmate is not transferred within the 15 days, the department will reimburse the county, in
16 a sum equal to the average daily rate for the preceding year paid by the department to
17 private correctional institutions for housing state inmates which amount shall not be less
18 than \$7.50 \$45.00 per day per inmate and in such an amount as may be appropriated for
19 this purpose by the General Assembly, for the cost of the incarceration, commencing 15
20 days after proper documentation is received by the department from the clerk of the court.
21 The reimbursement provisions of this Code section shall only apply to payment for the
22 incarceration of felony inmates available for transfer to the department, except inmates
23 under death sentence awaiting transfer after their initial trial, and shall not apply to inmates
24 who were incarcerated under the custody of the commissioner at the time they were
25 returned to the county jail for trial on additional charges or returned to the county jail for
26 any other purposes, including for the purpose of a new trial."

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SECTION 2.

2 This Act shall become effective on July 1, 2006.

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SECTION 3.

4 All laws and parts of laws in conflict with this Act are repealed.