

Senate Bill 360

By: Senators Grant of the 25th, Johnson of the 1st, Hill of the 4th, Thomas of the 2nd, Reed of the 35th and others

**AS PASSED SENATE**

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.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 3 of Chapter 5 of Title 42 of the Official Code of Georgia Annotated, relating to  
8 conditions of detention, is amended by revising subsection (c) of Code Section 42-5-51,  
9 relating to jurisdiction over certain misdemeanor offenders, designation of place of  
10 confinement of inmates, and reimbursement of counties for housing state inmates, as follows:  
11 "(c) After proper documentation is received from the clerk of the court, the department  
12 shall have 15 days to transfer an inmate under sentence to the place of confinement. If the  
13 inmate is not transferred within the 15 days, the department will reimburse the county, in  
14 a sum not less than ~~\$7.50~~ \$30.00 per day per inmate and in such an additional amount as  
15 may be appropriated for this purpose by the General Assembly, for the cost of the  
16 incarceration, commencing 15 days after proper documentation is received by the  
17 department from the clerk of the court. The reimbursement provisions of this Code section  
18 shall only apply to payment for the incarceration of felony inmates available for transfer  
19 to the department, except inmates under death sentence awaiting transfer after their initial  
20 trial, and shall not apply to inmates who were incarcerated under the custody of the  
21 commissioner at the time they were returned to the county jail for trial on additional  
22 charges or returned to the county jail for any other purposes, including for the purpose of  
23 a new trial."

24 **SECTION 2.**

25 This Act shall become effective on July 1, 2009.

1 **SECTION 3.**

2 All laws and parts of laws in conflict with this Act are repealed.