

The House Committee on State Institutions and Property offers the following substitute to HB 340:

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 county, and transfer of inmates to federal authority, so as to
4 provide for electronic submission of sentencing documentation; to provide for a
5 reimbursement rate; to repeal conflicting laws; and for 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 county, and transfer of inmates to federal authority, is amended by revising
11 subsection (c) as follows:

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. The
14 clerk may electronically submit the proper documentation to the department. The
15 department shall not reject any sentencing package, submitted electronically or otherwise,
16 that substantially complies with the requirement to submit proper documentation. If the
17 inmate is not transferred within the 15 days, the department ~~will~~ shall reimburse the county,
18 in a sum not less than ~~\$7.50~~ \$22.00 per day per inmate and in such an amount as may be
19 appropriated for this purpose by the General Assembly, for the cost of the incarceration,
20 commencing 15 days after proper documentation is received by the department from the
21 clerk of the court. The reimbursement provisions of this Code section shall only apply to
22 payment for the incarceration of felony inmates available for transfer to the department,
23 except inmates under death sentence awaiting transfer after their initial trial, and shall not
24 apply to inmates who were incarcerated under the custody of the commissioner at the time
25 they were returned to the county jail for trial on additional charges or returned to the county
26 jail for any other purposes, including for the purpose of a new trial."

27

SECTION 2.

28 All laws and parts of laws in conflict with this Act are repealed.