

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 1305

Short Title: Reimburse Inmate Costs.

(Public)

Sponsors: Senators Speed, Odom; Parnell, Ballance, Plexico, Sherron, Winner, Soles, Cooper, Dannelly, Smith, Warren, Gulley, Albertson, Kerr, Martin of Pitt, Carpenter, McDaniel, Forrester, Lucas, Perdue, Conder, Rand, Shaw, Simpson, Martin of Guilford, Davis, Kincaid, and Plyler.

Referred to: Appropriations.

May 27, 1996

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE THE DEPARTMENT OF CORRECTION TO
2 REIMBURSE LOCAL CONFINEMENT FACILITIES FOR THE EXPENSES OF
3 MAINTAINING INMATES PENDING TRANSFER TO THE STATE PRISON
4 SYSTEM.
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6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 148-29 reads as rewritten:

8 "**§ 148-29. Transportation of convicts to prison; sheriff's expense affidavit; State not**
9 **liable for maintenance expenses until convict received. affidavit.**

10 The sheriff having in charge any prisoner to be taken to the Central Prison at Raleigh
11 shall send him to the Central Prison within five days after the adjournment of the court at
12 which he was sentenced, if no appeal has been taken. Beginning on the sixth day after
13 adjournment of the court at which the prisoner was sentenced and continuing through the
14 day the prisoner is received by the Division of Prisons, the Department of Correction
15 shall pay the county a standard sum set by the General Assembly in its appropriation acts
16 for the cost of providing food, clothing, personal items, supervision, and necessary
17 ordinary medical services to the inmate awaiting transfer to the State prison system. The

1 sheriff shall file with the board of commissioners of his county a copy of his affidavit as
2 to necessary guard, together with a copy of his itemized account of expenses, both
3 certified to by him as true copies of those on file in his office. ~~The State is not liable for~~
4 ~~the expenses of maintaining convicts until they have been received by the State Department of~~
5 ~~Correction authorities, nor shall any moneys be paid out of the treasury for support of convicts~~
6 ~~prior to such reception."~~

7 Sec. 2. The Secretary of Correction shall use funds available to the
8 Department of Correction for the 1995-96 fiscal year to pay the sum of fourteen dollars
9 and fifty cents (\$14.50) per day as reimbursement to counties for the cost of housing
10 inmates convicted and awaiting transfer to the State prison system, as provided in G.S.
11 148-29.

12 Sec. 3. Of the funds appropriated to the Department of Correction for the
13 1996-97 fiscal year, the sum of fifteen million three hundred thirty thousand dollars
14 (\$15,330,000) shall be used to raise the per diem reimbursement to counties from
15 fourteen dollars and fifty cents (\$14.50) per day to forty-two dollars (\$42.00) per day for
16 the cost of housing inmates convicted and awaiting transfer to the State prison system, as
17 provided in G.S. 148-29.

18 Sec. 4. Sections 1 and 2 of this act are effective January 1, 1996. Section 3 of
19 this act becomes effective July 1, 1996.