

SENATE BILL 2533

By Yager

AN ACT to amend Tennessee Code Annotated, Section 41-8-106, relative to reimbursement for housing state inmates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 41-8-106(g)(2), is amended by deleting the existing subdivision (2) in its entirety and by substituting instead the following language:

(2) The commissioner is authorized to compensate any county that has not contracted with the state as authorized by subsection (b) for that county's reasonable, allowable cost of housing felons. The rate of compensation to these counties shall be determined by and is subject to the level of funding authorized in the appropriations bill; provided, however, such amount shall not be less than thirty-five dollars (\$35.00) per day. Beginning, July 1, 2013, and each succeeding July 1, the reimbursement rate shall be adjusted based upon the percentage of change in the average consumer price index (all items – city average) as published by the United States department of labor, bureau of labor statistics, between the two (2) preceding calendar years. However, no reduction shall be made by way of adjustment on account of any decrease in the average consumer price index. The commissioner shall not compensate any county that fails or refuses to promptly transfer actual physical custody of an inmate to the department after being requested by the department, in writing, to do so for each day or portion of a day that the county fails to transfer the inmate. The written notice shall include the date it intends to take custody of the inmate for transfer to the department. The notice shall be given as soon as practicable before the transfer date.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.