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HOUSE BILL 294

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Thomas C. Taylor

FOR THE COURTS AND CRIMINAL JUSTICE COMMITTEE

AN ACT

RELATING TO JAILS; REQUIRING THE CORRECTIONS DEPARTMENT TO REIMBURSE COUNTIES FOR THE EXPENSE OF INCARCERATING CERTAIN STATE PRISONERS IN COUNTY JAILS; AMENDING A SECTION OF THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 33-3-3 NMSA 1978 (being Laws 1865-1866, Chapter 19, Section 2, as amended) is amended to read:

"33-3-3. CONFINEMENT OF PRISONERS IN COUNTY WHERE OFFENSE COMMITTED - REIMBURSEMENT TO COUNTIES FOR INCARCERATING STATE PRISONERS. - - [SEC. ~~2.~~]

A. The jail in each county shall be used for the [retention] incarceration of every person [or persons] who, within the same county, [shall be] is charged with any crime

underscored material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

1 or properly committed for trial or for the [~~imprisonment~~]  
2 incarceration of every person [~~or person~~] who in conformity  
3 with sentence, upon conviction of an offense, may have been  
4 sentenced, and for the safekeeping of every person who shall  
5 be committed by competent authority according to law.

6 B. When a person is incarcerated in a county jail  
7 for a parole violation or while awaiting transport to a state  
8 correctional facility following the entry of a judgment and  
9 sentence or an order of confinement, the corrections  
10 department shall reimburse the county for the expense of  
11 incarcerating that person. The amount of the reimbursement  
12 shall be established by the county sheriff, the county jail  
13 administrator or the independent contractor who is in charge  
14 of the county jail's operations. "

15 Section 2. EFFECTIVE DATE. -- The effective date of the  
16 provisions of this act is July 1, 2001.