

FORTY-FIFTH LEGISLATURE
FIRST SESSION, 2001

HB 294/a

March 12, 2001

Mr. President:

Your JUDICIARY COMMITTEE, to whom has been referred

HOUSE BILL 294, as amended

has had it under consideration and reports same with recommendation that it DO PASS, amended as follows:

1. On page 1, line 13, strike "A SECTION" and insert in lieu thereof "AND ENACTING SECTIONS".

2. On page 1, line 14, after "1978" insert "; MAKING AN APPROPRIATION".

3. On page 2, strike lines 6 through 14 in their entirety and insert in lieu thereof the following subsection:

"B. When a person under parole supervision by the corrections department is incarcerated in a county jail for a parole violation solely on the basis of an arrest and hold order or a warrant issued by the corrections department, or when a person is incarcerated in a county jail while awaiting transportation to the custody of the corrections department following the entry and filing of a judgment and sentence and commitment or other lawful commitment to the corrections department, the corrections department shall reimburse the county for the expense of incarcerating that person as follows:

(1) a county shall receive reimbursement from the corrections department in an amount not to exceed thirty dollars (\$30.00) for each day that the person is incarcerated in a county jail; and

(2) counties with one hundred thousand persons or more, as determined by the 2000 United States census, shall not

FORTY-FIFTH LEGISLATURE
FIRST SESSION, 2001

SJC/HB 294

Page 2

cumulatively receive more than fifty percent of the total amount of money allocated to all counties, in each fiscal year, as reimbursement from the corrections department. "".

4. On page 2, between lines 14 and 15, insert the following section:

"Section 2. A new Section 33-3-3.1 NMSA 1978 is enacted to read:

"33-3-3.1 [NEW MATERIAL] CAP ON THE AMOUNT OF THE STATE REIMBURSEMENT TO COUNTIES FOR THE EXPENSE OF INCARCERATING CERTAIN STATE PRISONERS. --For fiscal year 2003 and subsequent fiscal years, the total amount of the reimbursement by the state to counties for the expense of incarcerating parole violators or persons awaiting transportation to the custody of the corrections department following lawful commitment to the corrections department, as provided in Section 33-3-3 NMSA 1978, shall not exceed three million dollars (\$3,000,000). "".

5. Renumber the succeeding section accordingly.

6. On page 2, line 16, strike "2001" and insert in lieu thereof "2002".,

and thence referred to the FINANCE COMMITTEE.

FORTY-FIFTH LEGISLATURE
FIRST SESSION, 2001

SJC/HB 294

Page 3

Respectfully submitted,

Michael S. Sanchez, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 6 For 0 Against

Yes: 6

No: 0

Excused: Gorham, Lopez, Payne, Rainaldi

Absent: None

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