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HOUSE BILL 413

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

INTRODUCED BY

Ron Godbey

AN ACT

**RELATING TO CORRECTIONS; PROVIDING THE SECRETARY OF
CORRECTIONS WITH AUTHORITY TO SUPERVISE THE INCARCERATION OF
OUT-OF-STATE INMATES IN PRIVATELY OPERATED CORRECTIONAL
FACILITIES OR JAILS; ASSESSING A FEE; ENACTING A NEW SECTION
OF THE NMSA 1978.**

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

**Section 1. A new section of Chapter 33, Article 1 NMSA
1978 is enacted to read:**

**" NEW MATERIAL SECRETARY'S AUTHORITY TO SUPERVISE THE
INCARCERATION OF OUT-OF-STATE INMATES IN PRIVATELY OPERATED
CORRECTIONAL FACILITIES OR PRIVATELY OPERATED JAILS--ASSESSING
A FEE. --**

**A. An inmate from a jurisdiction other than New
Mexico shall not be incarcerated in a privately operated**

underscored material = new
[bracketed material] = delete

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1 correctional facility or privately operated jail in New
2 Mexico:

3 (1) unless the privately operated
4 correctional facility or privately operated jail is designed
5 to meet or exceed the appropriate classification level for the
6 inmate; and

7 (2) without the express approval of the
8 secretary of corrections. The secretary shall not
9 unreasonably withhold his approval.

10 B. The operator of a privately operated
11 correctional facility shall pay a fee, on a quarterly basis,
12 to the county sheriff's department of the county in which the
13 privately operated correctional facility is located. The
14 amount of the fee shall be seventy-five cents (\$0.75) per
15 inmate per day for each inmate from a jurisdiction other than
16 New Mexico who is incarcerated in the privately operated
17 correctional facility. "

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