

BILL SUMMARY
1st Session of the 55th Legislature

Bill No.:	SB116
Version:	ENGR
Request Number:	
Author:	Rep. Echols
Date:	3/16/2015
Impact:	No additional costs to state

Research Analysis

SB 116 requires the Department of Corrections to notify all county jails of the Department's need for bed space prior to contracting with a private prison operator. A county may enter into agreements with the Department to house offenders after receiving notification. The measure requires the court clerk, district attorney or district judge to transmit the judgment and sentence to the Department within 3 business days after the court files the judgment and sentence. The measure establishes uniformity in judgment and sentences by providing the information which must be included in the judgement and sentence. The measure provides that Plea paperwork, Summary of Facts and Sentence on Plea or Sentencing After Jury Trial Summary of Facts may also be used as sentencing documents.

If the judgment and sentence documents are not received by the Department within three business days, the Department will not be responsible for the cost of housing the inmate in the county jail from the date of sentencing until the date the Department receives the necessary documentation. Should the inmate not be transferred on the date scheduled by the Department, the Department shall not be responsible for any costs incurred beyond the date scheduled by the Department. The measure provides that if an inmate has one or more criminal charges pending in the same jurisdiction and the county jail refuses to transfer the inmate to the Department, the Department is not responsible for housing costs.

Prepared By: Brad Wolgamott

Fiscal Analysis

Upon review of this measure, it has been determined to have no measurable revenue of fiscal considerations to the State. SB116 clarifies which entity pays for an inmate's room and board in the event of overcrowding at State and local facilities.

The daily per diem rate paid to counties housing DOC inmates is \$27.00. That number does not reflect medical costs covered by the DOC. SB116 would also protect the DOC from paying per diem for inmates kept past their scheduled transfer date to a DOC facility.

Further, SB116 clarifies when DOC shall pay per diem to a county jail in the instance the offender has multiple pending trial dates.

It is prudent to note that one way or the other the State will be paying to house Oklahoma's inmates. With regards to the provisions set forth in SB116, it is a question of what entity shall receive those payments/retain those costs

Prepared By: Joshua Maxey

Other Considerations

Cost of incarceration with the DOC (FT14 Actual Expenditures)		
<u>Type</u>	<u>Daily</u>	<u>Annual</u>
Maximum	100.80	36,791
Medium	47.47	17,328
Minimum	44.01	16,063
Community	46.44	16,950

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