

An Act

ENROLLED SENATE
BILL NO. 85

By: Weaver of the Senate

and

Caldwell (Trey) and Turner
of the House

An Act relating to county jails; amending 57 O.S. 2021, Section 38, which relates to jail reimbursement rates; increasing amount of reimbursement rate; striking obsolete implementation requirement; updating statutory references; updating statutory language; and providing an effective date.

SUBJECT: County jails

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 57 O.S. 2021, Section 38, is amended to read as follows:

Section 38. The Department of Corrections shall reimburse any county which is required to retain an inmate pursuant to subsection ~~E~~ F of Section 37 of this title in an amount not to exceed ~~Twenty-seven Dollars (\$27.00)~~ Thirty-two Dollars (\$32.00) per day for each inmate during such period of retention, unless the actual daily cost ~~as determined by the Department of Corrections Daily Rate as defined in this section,~~ exceeds ~~Twenty-seven Dollars (\$27.00)~~ Thirty-two Dollars (\$32.00). If the actual daily cost as determined by the ~~Department of Corrections Daily Rate~~ county exceeds ~~Twenty-seven Dollars (\$27.00)~~ Thirty-two Dollars (\$32.00), the county shall notify the Department of Corrections of the actual daily cost no later than September 30. If the county's actual daily cost is accepted by the Department ~~that,~~ such amount shall be the reimbursement rate for the county beginning the next fiscal year. If the Department rejects the county's actual daily cost application, ~~then~~ the actual daily cost reimbursement shall be

determined by the State Auditor and Inspector and shall be imposed beginning the next fiscal year. The Department shall distribute the reimbursement on a monthly basis upon receipt and approval of a billing statement from the county. The county shall use the reimbursement to defray expenses of equipping and maintaining the jail and payment of personnel. ~~The provisions in this act shall be implemented by the Department to allow sufficient time for application to FY-2019.~~ The Department of Corrections shall reimburse the county for the emergency medical care for physical injury or illness of the inmate retained under this ~~act~~ section if the injury or illness is directly related to the incarceration and the county is required by law to provide such care for inmates in the jail. The Department shall not pay fees for medical care in excess of the rates established for Medicaid providers. The state shall not be liable for medical charges in excess of the Medicaid scheduled rate. The ~~Director~~ Department may accept any inmate required to have extended medical care upon application of the county.

SECTION 2. This act shall become effective November 1, 2025.

Passed the Senate the 22nd day of May, 2025.

Presiding Officer of the Senate

Passed the House of Representatives the 22nd day of May, 2025.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____