

North Carolina Sheriffs' Association

Serving the Sheriffs and Citizens of North Carolina since 1922

Weekly Legislative Report - Special Report



June 15, 2009

JAIL BACKLOG PAYMENTS --- UPDATE

PROVISION ADDED BACK INTO HOUSE BUDGET

Each year the General Assembly includes a “special provision” in their budget bill to authorize the Department of Correction to pay \$40 per day to counties for state prisoners that are “backlogged” in the county jail awaiting transport to a state prison. This provision was included in the proposed Senate budget adopted earlier this session, but this provision was originally deleted from the proposed House version. This year’s State Budget Bill is Senate Bill 202, Appropriations Act of 2009.

In each year’s budget, there are not any funds actually provided to the Department of Correction to pay counties for “jail backlogged” prisoners. The Department of Correction is authorized to use unspent funds from their regular budget to make the “jail backlog” payments to counties.

Because of the tight budget situation, the legislative staff was directed by House Appropriations leaders to remove all provisions from the proposed House version of the State Budget Bill that would allow state agencies to use unspent funds for any purpose. This policy decision resulted in numerous provisions being deleted from the proposed House version of the State Budget Bill, including the deletion of the provision authorizing the Department of Correction to pay \$40 per day to counties for “jail backlogged” prisoners.

During Friday night’s House Session, at the request of the North Carolina Sheriffs’ Association and the North Carolina Association of County Commissioners, this “special provision” was added back into the House version of the State Budget Bill and was unanimously approved by the full House upon a vote of 117 to 0.

An identical version of this “special provision” is now included in both the Senate version and the House version of the State Budget Bill. Therefore, since it is not in controversy between the House and Senate, it should be included in the final version of the State Budget Bill when it is adopted in the next few weeks. Nevertheless, we will continue to monitor it closely. Please express your appreciation and gratitude to the House members that represent your county for their willingness to add this provision back into the House version of the budget last Friday evening.

If you would like a copy of any of the legislation introduced or considered by this year's General Assembly, copies are available on the General Assembly's World Wide Web site: www.ncleg.net.

You may also receive one copy of as many bills as you are interested in, free of charge, by calling the General Assembly's Printed Bills office at 919/733-5648. They will need to know if it is a House bill or Senate bill and the bill number. (For example, Senate Bill 8).

Eddie Caldwell
Executive Vice President and General Counsel
North Carolina Sheriffs' Association

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