

1 ENGROSSED SENATE
2 BILL NO. 85

3 By: Weaver of the Senate

4 and

5 Caldwell (Trey) of the
6 House

7 [county jails - reimbursement rates - obsolete
8 implementation requirement - effective date]

9
10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

13 Section 38. The Department of Corrections shall reimburse any
14 county which is required to retain an inmate pursuant to subsection
15 ~~E F~~ of Section 37 of this title in an amount not to exceed ~~Twenty-~~
16 ~~seven Dollars (\$27.00)~~ Thirty-two Dollars (\$32.00) per day for each
17 inmate during such period of retention, unless the actual daily cost
18 as determined by the ~~Department of Corrections Daily Rate as defined~~
19 ~~in this section,~~ exceeds ~~Twenty-seven Dollars (\$27.00)~~ Thirty-two
20 Dollars (\$32.00). If the actual daily cost as determined by the
21 ~~Department of Corrections Daily Rate~~ county exceeds ~~Twenty-seven~~
22 ~~Dollars (\$27.00)~~ Thirty-two Dollars (\$32.00), the county shall
23 notify the Department of Corrections of the actual daily cost no
24 later than September 30. If the county's actual daily cost is

1 accepted by the Department ~~that, such amount~~ shall be the
2 reimbursement rate for the county beginning the next fiscal year.
3 If the Department rejects the county's actual daily cost
4 application, ~~then~~ the actual daily cost reimbursement shall be
5 determined by the State Auditor and Inspector and shall be imposed
6 beginning the next fiscal year. The Department shall distribute the
7 reimbursement on a monthly basis upon receipt and approval of a
8 billing statement from the county. The county shall use the
9 reimbursement to defray expenses of equipping and maintaining the
10 jail and payment of personnel. ~~The provisions in this act shall be~~
11 ~~implemented by the Department to allow sufficient time for~~
12 ~~application to FY 2019.~~ The Department of Corrections shall
13 reimburse the county for the emergency medical care for physical
14 injury or illness of the inmate retained under this ~~act~~ section if
15 the injury or illness is directly related to the incarceration and
16 the county is required by law to provide such care for inmates in
17 the jail. The Department shall not pay fees for medical care in
18 excess of the rates established for Medicaid providers. The state
19 shall not be liable for medical charges in excess of the Medicaid
20 scheduled rate. The ~~Director~~ Department may accept any inmate
21 required to have extended medical care upon application of the
22 county.

23 SECTION 2. This act shall become effective November 1, 2025.
24

Passed the Senate the 17th day of March, 2025.

Presiding Officer of the Senate

Passed the House of Representatives the _____ day of _____,
2025.

Presiding Officer of the House
of Representatives