

SECOND REGULAR SESSION

# HOUSE BILL NO. 2669

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE HARBISON.

6365H.01I

JOSEPH ENGLER, Chief Clerk

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### AN ACT

To repeal section 550.320, RSMo, and to enact in lieu thereof one new section relating to jail reimbursement.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 550.320, RSMo, is repealed and one new section enacted in lieu  
2 thereof, to be known as section 550.320, to read as follows:

550.320. 1. As used in this section, the following terms shall mean:

2 (1) "Department", the department of corrections of the state of Missouri;  
3 (2) "Jail reimbursement", a daily per diem paid by the state for the reimbursement of  
4 time spent in custody.

5 2. Notwithstanding any other provision of law to the contrary, whenever any person is  
6 sentenced to a term of imprisonment in a correctional center, the department shall reimburse  
7 the county or city not within a county for the days the person spent in custody at a per diem  
8 cost, subject to appropriation, but not to exceed ~~thirty seven dollars and fifty cents~~ **forty**  
9 **dollars** per day per offender. The jail reimbursement shall be subject to review and approval  
10 of the department. The state shall pay the costs when:

11 (1) A person is sentenced to a term of imprisonment as authorized by chapter 558;  
12 (2) A person is sentenced pursuant to section 559.115;  
13 (3) A person has his or her probation or parole revoked because the offender has, or  
14 allegedly has, violated any condition of the offender's probation or parole, and such probation  
15 or parole is a consequence of a violation of the law, or the offender is a fugitive from the state  
16 or otherwise held at the request of the department regardless of whether or not a warrant has  
17 been issued; or

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is  
intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 (4) A person has a period of detention imposed pursuant to section 559.026.

19       3. When the final determination of any criminal prosecution shall be such as to render  
20 the state liable for costs under existing laws, it shall be the duty of the office of the sheriff or  
21 the chief executive officer of the city not within a county to certify the total number of days  
22 any offender who was a party in such case remained in the jail and submit the total number of  
23 days spent in custody to the department. The office of the sheriff or chief executive officer of  
24 the city not within a county may submit claims to the department, no later than two years  
25 from the date the claim became eligible for reimbursement.

26       4. The department shall determine if the expenses are eligible pursuant to the  
27 provisions of this chapter and remit any payment to the county or city not within a county  
28 when the expenses are determined to be eligible. The department shall establish, by rule, the  
29 process for submission of claims. Any rule or portion of a rule, as that term is defined in  
30 section 536.010, that is created under the authority delegated in this section shall become  
31 effective only if it complies with and is subject to all of the provisions of chapter 536 and, if  
32 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the  
33 powers vested with the general assembly pursuant to chapter 536 to review, to delay the  
34 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then  
35 the grant of rulemaking authority and any rule proposed or adopted after August 28, 2025,  
36 shall be invalid and void.

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