

ORIGINAL SENATE
FILE NO. SF0030

ENROLLED ACT NO. 5, SENATE

SIXTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING
2017 GENERAL SESSION

AN ACT relating to counties; authorizing contracts to house prisoners in county jails as specified; providing for contract conditions; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 18-6-317 is created to read:

18-6-317. Contract for housing out-of-state prisoners; general conditions.

(a) Subject to approval by the board of county commissioners and the provisions of this section, the sheriff may contract with any other state or governmental entity within another state for the housing of prisoners in the county jail. The sheriff or keeper of a jail to which any out-of-state prisoner is housed shall be responsible for the safekeeping of the out-of-state prisoner according to the terms of the contract. Funds paid by any other state or governmental entity within another state for the use of a county jail shall be credited to the general fund of the county wherein the jail is situated.

(b) A contract to house out-of-state prisoners shall:

(i) Not impact the ability of the county to house county prisoners;

(ii) Not include housing prisoners who have been convicted of an offense which, if committed in Wyoming, could result in incarceration in a state penal institution;

(iii) Not require services be provided to prisoners under the contract which the jail does not currently provide;

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(iv) Provide flexibility to the sheriff to reject or return prisoners to the state of origin if:

(A) The jail has reached or is near capacity;

(B) The sheriff determines that the prisoner is a security or safety risk to jail staff or other prisoners.

Section 2. This act is effective July 1, 2017.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk