

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF MILLER, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED: AN ORDINANCE TO ESTABLISH FEES THAT SHALL BE CHARGED FOR MAINTAINING AND KEEPING PRISONERS OF ALL OTHER GOVERNMENTAL UNITS, TO DIRECT AND AUTHORIZE THE COLLECTION OF SAME BY THE COUNTY SHERIFF AND JUDGE, TO REPEAL ANY PREVIOUS MILLER COUNTY QUORUM COURT SETTING DAILY JAIL FEES FOR PRISONERS OF OTHER GOVERNMENTAL UNITS, TO DECLARE AN EMERGENCY, AND FOR OTHER PURPOSES.

SECTION 1: Any previous Miller County Quorum Court Ordinances setting daily jail fees for prisoners of other governmental units are repealed in their entirety and replaced with the following.

SECTION 2: In the absence of a written contract on jail costs between Miller County and any city or other government unit that presents a prisoner(s) to the County Detention Center for incarceration, the Sheriff shall levy the daily fee(s) established by this Ordinance, which shall be charged for all prisoners kept in the Miller County Detention Center pursuant to A.C.A. §12-41-506. Where a written contract between the County and a particular governmental unit exists (which contract must be for the current year only), the rate established in the written contract shall be levied, billed, and collected monthly by the Sheriff.

SECTION 3: A prisoner shall mean “those offenders who are arrested by municipal [or other non-county governmental unit] law enforcement officers and delivered to the county jail for incarceration, from the point of intake until (a) charging on a felony offense; (b) sentencing on a misdemeanor offense; and (3) release on a municipal ordinance violation,” as set out in Mississippi County v. City of Blytheville, et al, 2018 Ark. 50.

SECTION 4: It shall be the obligation of the Miller County Sheriff's Department to maintain reports containing the name of each prisoner, the governmental unit committing the prisoner and the number of days each prisoner is incarcerated in the Miller County Jail.

SECTION 5: The Miller County Sheriff's Department shall charge and collect per diem costs of \$65.00 per prisoner per day, or any part thereof, for any and all prisoners incarcerated by any other governmental unit in the Miller County Jail. Per diem costs set by this Ordinance are subject to recalculation at any time and solely at the option of Miller County through the Ordinance process.

SECTION 6: All funds collected pursuant to this ordinance shall be accounted for and turned over to the County Treasurer as they are received and shall be deposited by said County Treasurer into the County General Fund.

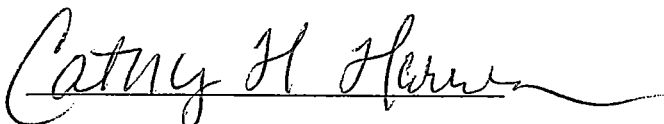
SECTION 7: All fees levied and charged under this Ordinance and/or under any written contract between Miller County and any governmental unit shall be due and payable by the 10th day of the succeeding month in which billed.

SECTION 8: Medical or dental treatment shall be provided to any prisoner as required under state and federal law. Any medical and/or dental treatment costs shall be billed to the prisoner and/or to the governmental unit responsible for the arrest of the prisoner.

SECTION 9: If any portion of this ordinance shall be subsequently held invalid, the remaining parts thereof shall remain in full force and effect.

SECTION 10: It is hereby determined that the adoption of this Ordinance is necessary for the proper fiscal operation of the Miller County Detention Center. Therefore, an emergency is hereby declared to exist and this Ordinance shall be in force and shall take effect upon passage and publication.

PASSED AND APPROVED THIS 8TH DAY OF MAY 2023.



Cathy H. Harrison

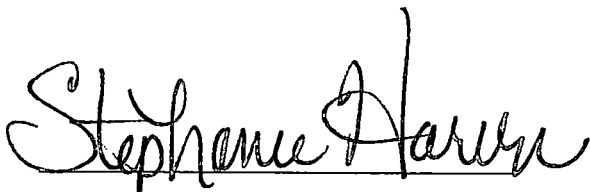
Miller County Judge

FILED

MAY 15 2023

MILLER COUNTY CLERK

SRH D.C.



Stephanie Harvin

Miller County Clerk

This publication was paid for by the Quorum Court of Miller County, Arkansas in the amount of \$_____.