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46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003 INTRODUCED BY

Joseph A. Fidel

AN ACT

RELATING TO CORRECTIONAL FACILITIES: INCREASING FEES FOR OUT-OF-STATE PRISONERS INCARCERATED IN PRIVATELY OPERATED CORRECTIONAL FACILITIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 33-15-4 NMSA 1978 (being Laws 2001, Chapter 169, Section 4) is amended to read:

"33-15-4. CLASSIFICATION REVIEW OF OUT-OF-STATE INMATES IN PRIVATELY OPERATED CORRECTIONAL FACILITIES--ASSESSING A FEE. - -

A. An out-of-state inmate shall not be incarcerated in a privately operated correctional facility in New Mexico unless the privately operated correctional facility is designed to meet or exceed the appropriate classification level for the out-of-state inmate.

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B. The operator of a privately operated correctional facility that houses out-of-state inmates shall pay a fee, on a quarterly basis, to the county in which the privately operated correctional facility is located. The amount of the fee shall be a minimum of [seventy-five cents (\$0.75) two dollars (\$2.00) per inmate per day for each out-of-state inmate who is incarcerated in the privately operated correctional facility."

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