

RESOLUTION 2023 - 89

AMENDMENT TO RESOLUTION 2009-34  
ESTABLISHING DAILY RATES FOR INCARCERATION  
IN THE DETENTION FACILITY

**WHEREAS**, Section 46-18-403, MCA, states that, "The daily rates for incarceration must be established annually by the Board of County Commissioners by resolution;" and

**WHEREAS**, Section 7-32-2245, MCA, states that "If a person is confined in a detention center by an arresting agency not responsible for the operation of the detention center, the actual costs of holding the person in confinement must be paid by the arresting agency at a rate that is agreed upon by the arresting agency unless otherwise agreed to by the arresting agency and the operator of the detention center."

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Lewis and Clark County that the daily rate for confinement, other than for actual medical costs, as ordered by the court and paid in advance of confinement and prior to the payment of any fine, is hereby established at \$82.50 per day; and

**BE IT FURTHER RESOLVED** that, if a judgment is for a fine and imprisonment until the fine is paid, the detainee shall be allowed a credit of \$82.50 for each day of incarceration; and

**BE IT FURTHER RESOLVED** that an inmate is responsible for the actual cost of medication, medical services, or hospitalization while detained in a detention center, based upon the individual's ability to pay, and/or private provider health care coverage, or a bona fide and responsible third-party payor; and

**BE IT FURTHER RESOLVED** that the County Attorney shall initiate proceedings to collect from the inmate any charges arising from medical service or hospitalization in accordance with Section 7-32-2245, MCA.

DATED this 19<sup>th</sup> day of September, 2023.

LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS

  
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Tom Rolfe, Chair



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Amy Reeves Clerk & Recorder, Lewis & Clark MT

