

§ 148-10.4. Statewide Misdemeanant Confinement Fund.

- (a) Definitions. – The following definitions apply in this section:
 - (1) Division. – Division of Prisons of the Department of Adult Correction.
 - (2) Fund. – The Statewide Misdemeanant Confinement Fund established by this section.
 - (3) Program. – Statewide Misdemeanant Confinement Program established under G.S. 148-32.1(b3) [G.S. 148-32.1(b2)].
 - (4) Sheriffs' Association. – North Carolina Sheriffs' Association, Inc.
- (b) Intent and Purpose. – It is the intent of the General Assembly that the funds in the Fund established by this section be used to reimburse local governments for expenses incurred for housing misdemeanants under the Program, and other related expenses; and to cover administrative costs incurred by the Sheriffs' Association for services provided by it regarding the housing of these misdemeanants.
- (c) Statewide Misdemeanant Confinement Fund established. – There is created within the Division of Prisons a special nonreverting fund called the Statewide Misdemeanant Confinement Fund.
- (d) Fund Uses. – Moneys in the Fund may be used for the following:
 - (1) Reimbursements by the Sheriffs' Association to counties for the costs of housing misdemeanants under the Program, including the care, supervision, and transportation of those misdemeanants.
 - (2) Reimbursements to the Division of Prisons for the cost of housing misdemeanants transferred to the Division pursuant to G.S. 148-32.1(b3), including the care, supervision, and transportation of those misdemeanants.
 - (3) To pay the Sheriffs' Association for administrative and operating expenses pursuant to subsection (e) of this section.
 - (4) To pay the Division of Prisons for administrative and operating expenses pursuant to subsection (e) of this section.
- (e) Repealed by Session Laws 2016-94, s. 17C.1(b), effective July 1, 2016.
- (f) Upon notification from the Division of Prisons that an amount owed by a county for safekeeper reimbursements authorized under G.S. 162-39 is more than 120 days overdue, the Sheriffs' Association shall withhold funds from any reimbursements due to a county under this section and transmit those funds to the Division until that overdue safekeeper reimbursement is satisfied. (2011-145, s. 19.1(h), (i); 2011-192, s. 7(h); 2013-360, s. 16C.6(a); 2015-241, ss. 16C.6(c), 16C.12; 2016-94, s. 17C.1(b); 2017-186, ss. 2(cccccc), 3(a); 2021-180, s. 19C.9(p), (q).)