



**WEST VIRGINIA DIVISION OF ADMINISTRATIVE SERVICES
AGENCY POLICY STATEMENT**

**SUBJECT: ANNUAL NOTICE – JAIL PER DIEM BUDGETING
REMINDER**

INDEX NUMBER: 406.00

EFFECTIVE DATE: September 23, 2022

PURPOSE: To establish and maintain a mechanism by which counties, municipalities, and their associations receive an annual written notice from the Director of the Division of Administrative Services (hereinafter the Division) to remind them of the jail per diem requirements set forth in West Virginia Code including the per diem calculated by the State Budget Office.

REFERENCE: West Virginia Code §15A-2-1 et seq and §15A-3-16.

RESPONSIBILITY: Assistant Director – Fiscal Operations Section, and the Accounts Receivable Unit Manager are responsible for overseeing the development and enactment of Staff Notices and Job Guides to ensure compliance with this Policy Statement.

CANCELLATION: None.

APPLICABILITY: This policy statement applies to all employees involved in processing receivables for outstanding amounts owed by any customer for jail beds. This Policy Statement is available for general distribution and is not exempt from FOIA requirements.

DEFINITIONS: None.

POLICY: The Accounts Receivables Manager within the Fiscal Operations Section shall transmit annually, no later than with the September invoices, a letter from the Division Director to each county commission and mayor, whose county or municipality, participates in the State's jail system to remind them of the jail per diem rate established by West Virginia Code for counties and municipalities participating in the State's jail system, or as set by the State Budget Office in compliance with said Code. A courtesy notification will also be sent to the Executive Directors of the West Virginia Association of Counties, the West Virginia County Commissioner's Association, and the West Virginia Municipal League. See Attachment #1 for an example.

APPROVED SIGNATURE:


Michael V. Coleman, Director


Date

ATTACHMENT #1 -- DAS POLICY 406.00



JEFF S. SANDY, CFE, CAMS
CABINET SECRETARY

State of West Virginia
Department of Homeland Security
Division of Administrative Services
1201 Greenbrier Street
Charleston, WV 25311
(304) 558-2350



MICHAEL V. COLEMAN
DIRECTOR

October 19, 2021

Via Certified Mail

Re: Budgeting Reminder – Jail Per Diem Rate

Dear Commissioners,

As you are preparing your budgets for the fiscal year starting 1 July 2022, please remember that during the 2021 Second Special Session of the Legislature, SB2023 was completed and became effective from passage on June 24, 2021. SB2023 affected West Virginia Code §15A-3-16. **Funds for operations of jails under the jurisdiction of the commissioner.** SB2023 revised subsection (g) of said code to extend the statutory per diem cap of \$48.25, paid by counties and municipalities to incarcerate inmates in regional jails, through July 1, 2022.

The State Budget Office is required by law to establish the per diem rate annually based on the three most current years of jail operating expenses. **The current per diem rate established by the State Budget Office is \$54.13. Absent further legislative action, jail billings to counties and municipalities will be based on the rate of \$54.13 beginning with the July 2022 billing cycle.**

If you have any questions, please contact Kimberly Wilson, Manager, Accounts Receivable Unit at 304-414-3432 or by email at Kimberly.S.Wilson@wv.gov.

Very respectfully,

Michael V. Coleman, Director

cc: Jeff S. Sandy, Cabinet Secretary, Department of Homeland Security
Betsy Jividen, Commissioner, Division of Corrections and Rehabilitation
Joseph Thornton, Deputy Director WVDAS
Michael Cutlip, Deputy Director (Finance) WVDAS
Bryan Arthur, Assistant Director – Fiscal Operations WVDAS
Kimberly Wilson, Manager, Accounts Receivable Unit WVDAS
Will Valentino, Deputy General Counsel
Stacy Nowicki-Eldridge, Deputy General Counsel
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