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CABINET SECRETARY

State of West Virginia
Department of Homeland Security
Division of Administrative Services
1124 Smith Street
Charleston, WV 25301
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JOSEPH C. THORNTON
DIRECTOR

May 30, 2023

Commission

Dear Commissioners,

This letter is to supersede the budget reminder letter sent in October 2022 which stated the counties and municipalities will be paying a per diem rate of \$54.48 beginning with the July 2023 billing cycle.

During the 2023 Regular Session of the Legislature, HB3552 was passed and subsequently approved by the Governor on March 29, 2023. This bill amended West Virginia Code §15A-3-16, relating to jail per diem costs. In subsection (k), it states the base rate per day, per inmate rate shall be set at \$54.48. It also states a county will be billed based on a pro rata number of inmate days. That pro rata number of inmate days will be calculated by **multiplying each county's population as contained in the 2020 United States Census by .52**.

Each county is responsible for the following regarding annual per diem jail costs:

- **80% of the current per diem rate for the first 80% of its pro rata share of total billed inmate days.** *This rate is determined to be \$43.58.*
- **100% of the current per diem rate for its inmate days that are greater than 80% and up to 100% of its pro rata share of total billed inmate days.** *This would be the base per diem rate of \$54.48.*
- **120% of the current per diem rate for its inmate days that exceed 100% of its pro rata share of total billed inmate days.** *This rate is determined to be \$65.38.*

Based on the data from the US 2020 Census, 80% of your county's pro rata days is ... **6,434**

Based on the data from the US 2020 Census, 100% of your county's pro rata days is ... **8,042**

**Also, if you pay for a municipality's charges, you will be billed the municipality rate of \$54.48.*

If you have any questions, please contact Angela Nitardy, Accounts Receivable Manager, at 304-352-0218 or by email at Angela.D.Nitardy@wv.gov.

Very respectfully,

Joseph C. Thornton