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CABINET SECRETARY

State of West Virginia
Department of Homeland Security
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JOSEPH C. THORNTON
DIRECTOR

January 26, 2024

County Commission
Street
WV

Re: Budgeting Reminder – Jail Per Diem Rates

Dear Commission,

As you are preparing your budgets for the fiscal year starting July 1, 2024, please remember 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 \$45.97.*
- **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 \$57.46.*
- **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 \$68.95.*

These will be the new rates for FY2025.

Since these pro rata days are calculated using the county and state populations according to the 2020 United States Census, your county's numbers will stay the same as calculated for FY2024 until a new census is conducted.

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