RESOLUTION 2025 - 112

AMENDMENT TO RESOLUTION 2024-121
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 $126.93 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 $126.93 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 28 day of October 2025.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS

Candace Payne, Chair

THE SEAL OF LEWIS & CLARK COUNTY STATE OF MONTANA

ATTEST:

Amy Reeves, Clerk of the Board

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Amy Reeves Clerk & Recorder, Lewis & Clark MT