

## **§1805. STATE BOARD OF CORRECTIONS INVESTMENT FUND PROGRAM**

**1. Program established.** The State Board of Corrections ~~Investment~~Operational Support Fund program, referred to in this section as "the program," includes General Fund accounts and Other Special Revenue Funds accounts for the purposes specified in this section.

**2. Expenditures of program.** ~~Except as otherwise provided in this section, funding of the program may be expended only to compensate county governments and the department for costs approved by the board and the Legislature. Upon approval by the board, program funds may be used for personnel, goods and services, including, but not limited to, motor vehicles, information technologies and office equipment, that do not exceed \$50,000 per item.~~

**3. Sources of funding.** The State Controller shall credit to the Other Special Revenue Funds accounts of the program:

A. Any net county assessment revenue pursuant to Title 30-A, section 701, subsection 2-A in excess of county jail appropriations in counties where jails or correctional services have been closed or downsized;

B. Any net county assessment revenue in excess of county jail expenditures in counties where changes in jail operations pursuant to board directives under section 1803 have reduced jail expenses. Any net revenue in excess of county or regional jail expenditures resulting from efficiencies generated by the independent actions of a county or regional jail remains with the county's or regional jail authority's correctional services fund balance;

D. Money from any other source, whether public or private, designated into or credited to the Other Special Revenue Funds accounts of the program; and

E. Interest earned or other investment income on balances in the Other Special Revenue Funds accounts of the program.

**4. Unencumbered balances.** Any unencumbered balance in General Fund accounts or Other Special Revenue Funds accounts remaining at the end of any fiscal year does not lapse but is carried forward to be expended for the purposes specified in this section and may not be made available for any other purpose.

**5. Report by chair of the State Board of Corrections.** The chair of the board shall report at least annually on or before the 2nd Friday in December to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters. The report must summarize the activity in any funds or accounts directly related to this section.

**6. County correctional budget savings.** In the first fiscal year in which any unencumbered balance in the corrections-related account of a county arises out of savings realized during the course of that fiscal year, that county may retain the unencumbered balance for future corrections-related purposes without offset of the state funds that would otherwise be due that county. A county shall submit to the board 10% of any unencumbered balance realized in a subsequent fiscal year and the remaining unencumbered balance must be used by the county as provided in this subsection.