

AN ACT relating to reimbursement of extradition costs.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 532 IS CREATED TO READ AS FOLLOWS:

(1) The sentencing court may order a person who has been returned to this state pursuant to KRS 440.090 and who is convicted of any misdemeanor or felony to reimburse the state government for costs incurred for his or her return, unless the person is found to be a poor person as defined in KRS 453.190.

(2) The amount of reimbursement shall be determined as provided in KRS 440.090, and shall be based upon actual expenses incurred for return of the fugitive.

(3) Reimbursement shall be paid to the State Treasury through the circuit clerk.

➔Section 2. KRS 532.162 is amended to read as follows:

- (1) If the criminal garnishment is made upon the convicted person's earnings, the order of garnishment shall be a lien upon the earnings from the date of service on the garnishee until an order discontinuing the lien is entered. A convicted person may challenge the garnishment by filing a challenge to the garnishment with the sentencing court. The challenge shall be heard within ten (10) days of its filing or the nearest court date thereafter. Before the hearing, garnishment shall continue. Any moneys which the court determines were improperly garnished shall be repaid to the garnishee not later than thirty (30) days after the determination.
- (2) The circuit clerk's office shall disburse all collected reimbursement, restitution, and fees to the victim, the Crime Victims Compensation Board, **the State Treasury**, or the local government, whichever is appropriate. The clerk shall be entitled to collect a fee of two dollars and fifty cents (\$2.50) from each account for which a disbursement is made at the time of disbursement. In the event of challenge to a garnishment, the appropriate clerk's office shall not disburse those sums associated with the challenged garnishment until determination by the sentencing court

regarding the propriety of the garnishment.

→Section 3. KRS 532.350 is amended to read as follows:

As used in this chapter:

- (1) (a) "Restitution" means any form of compensation paid by a convicted person to a victim for counseling, medical expenses, lost wages due to injury, or property damage and other expenses suffered by a victim because of a criminal act;
 - (b) "Reimbursement" means payment of expenses associated with incarceration, including but not limited to *extradition*, medical expenses, food, and lodging;
 - (c) "Sinking fund" means the fund created and used by local governments to provide maintenance of jail facilities and capital construction; improvement of law enforcement, jail, and judicial facilities; and other long-term expenditures associated with those areas; and
 - (d) "Local government" means any county, urban-county, or charter county government.
- (2) Definitions in KRS 441.005 apply to this chapter.