

**533.025 Rate of payment by department to county for incarceration of persons in jail -- Payment of work release fees to jailer and deduction from department's payment -- Department's custody of prisoner for specified medical conditions.**

- (1) When a person is convicted of, pleads guilty to, or enters an Alford plea to a felony offense and is sentenced to jail as a condition of conditional discharge or as a condition of probation, the Department of Corrections shall pay for the incarceration of that person in a jail at the same rate and under the same conditions as for a Class D felon who is incarcerated in the jail under KRS 532.100.
- (2) If a person incarcerated in a jail on conditional discharge or probation under subsection (1) of this section is granted work release, he or she shall pay the work release fees required by law to the jailer. The amount of work release fees paid by a prisoner shall be deducted from the amount which the Department of Corrections shall pay for the incarceration of that prisoner.
- (3) The Department of Corrections may, during the prisoner's period of incarceration in the jail, take custody of the prisoner and hold that person in a state prison facility for the purpose of treating the following medical conditions:
  - (a) Chronic heart and lung conditions;
  - (b) Psychiatric conditions;
  - (c) Acute medical conditions that require diagnostic testing or hospitalization;
  - (d) Acute surgical conditions;
  - (e) Pregnancy; or
  - (f) Any other medical condition which the Department of Corrections may set out by administrative regulation.

**Effective:** April 24, 2020

**History:** Amended 2020 Ky. Acts ch. 109, sec. 9, effective April 24, 2020. -- Amended 2000 Ky. Acts ch. 345, sec. 10, effective July 14, 2000. -- Created 1998 Ky. Acts ch. 606, sec. 115, effective July 15, 1998.