

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2026

Legislative Document

No. 2232

H.P. 1507

House of Representatives, March 10, 2026

An Act to Increase County Jail Funding

(EMERGENCY)

Reported by Representative HASENFUS of Readfield for the Joint Standing Committee on Criminal Justice and Public Safety pursuant to Resolve 2025, chapter 73, section 2.

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed pursuant to Joint Rule 218.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** state funding for county jail operations has remained stagnant while the
4 costs to operate county jails have rapidly increased, creating an undue burden on property
5 tax payers; and

6 **Whereas,** it is necessary that this Act take effect prior to the beginning of the next
7 fiscal year; and

8 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
9 the meaning of the Constitution of Maine and require the following legislation as
10 immediately necessary for the preservation of the public peace, health and safety; now,
11 therefore,

12 **Be it enacted by the People of the State of Maine as follows:**

13 **Sec. 1. 34-A MRSA §1210-E, sub-§2,** as enacted by PL 2021, c. 732, Pt. A, §3
14 and affected by §5, is amended to read:

15 **2. County Jail Operations Fund.** The County Jail Operations Fund is established to
16 provide funding for county jails and the regional jail. State funding must be appropriated
17 annually for the fund in the amount of \$20,342,104 prior to July 1, 2026 and in the amount
18 of \$28,342,104 beginning July 1, 2026, plus any additional amount the Legislature may
19 appropriate. The amount required to be appropriated under this subsection must be
20 increased annually by 4%. The department shall administer the fund and shall distribute
21 funds to the jails in accordance with this section for the purposes set forth in subsections 3
22 and 4 and in accordance with the distribution formula set forth in subsection 9. State funds
23 appropriated for the fund that are unexpended at the end of the fiscal year to which the
24 funds are appropriated do not lapse but must carry forward into subsequent fiscal years to
25 be expended for the purposes of this section.

26 **Sec. 2. 34-A MRSA §1210-E, sub-§3,** as enacted by PL 2021, c. 732, Pt. A, §3
27 and affected by §5, is amended to read:

28 **3. Community corrections; pretrial release program.** ~~At least 25% of all funding~~
29 ~~provided~~ In addition to the funding under this section must be used by, state funding must
30 be appropriated annually for the fund in the amount of \$5,000,000. The funds appropriated
31 pursuant to this subsection may be used by the county jails and regional jail for establishing,
32 providing and maintaining community corrections and programs and services required by
33 section 1208-B, subsection 4, paragraph D. Jail programs and services must include a
34 program, directly or through a contract with an organization, to supervise defendants
35 subject to pretrial release conditions imposed pursuant to Title 15, section 1026, subsection
36 3, paragraph A, subparagraph (1) and such requirements as may be established by rule or
37 order of the Supreme Judicial Court.

38 **Sec. 3. 34-A MRSA §1210-E, sub-§9,** as enacted by PL 2021, c. 732, Pt. A, §3
39 and affected by §5, is amended to read:

40 **9. Formula; distribution.** The council shall establish a formula for the quarterly
41 distribution described in subsection 5. The department shall distribute quarterly to each
42 county from the fund the amount due to that county as determined according to the formula.

1 The formula must be based on the ~~most recent~~ previous state fiscal year for which data is
2 available for the county and must:

- 3 A. Take into consideration total statewide county jail prisoner days for all jails;
- 4 B. Take into consideration and assign to a jail the number of county jail prisoner days
5 attributable to each prisoner who was charged with committing a crime in that county
6 or who was committed to the custody of or detained by the sheriff of that county; and
- 7 C. Determine the proportion of statewide county jail prisoner days attributable to each
8 county.

9 **Emergency clause.** In view of the emergency cited in the preamble, this legislation
10 takes effect when approved.

11 SUMMARY

12 This bill is reported out by the Joint Standing Committee on Criminal Justice and
13 Public Safety pursuant to Resolve 2025, chapter 73 to implement statutory changes
14 recommended by the County Corrections Professional Standards Council. The bill
15 increases the amount of state funding appropriated annually to the County Jail Operations
16 Fund from \$20,342,104 to \$28,342,104 effective July 1, 2026 and provides that the amount
17 must be increased annually by 4%. The bill requires the State to appropriate an additional
18 \$5,000,000 in funding to the County Jail Operations Fund, which may be used for
19 establishing and maintaining community programs and services such as pretrial or
20 conditional release, alternative sentencing or housing programs and electronic monitoring.
21 Current law requires county jails to use 25% of the provided state funding for the County
22 Jail Operations Fund to maintain these programs and services. The bill also requires that
23 the formula for the distribution of funds be based on the previous state fiscal year for which
24 data is available rather than the most recent fiscal year for which data is available.

25 The committee has not taken a position on the substance of the bill, and by reporting
26 the bill out, the committee is not suggesting and does not intend to suggest that it agrees or
27 disagrees with any aspect of the bill. The committee is reporting the bill out for the sole
28 purpose of obtaining a printed bill that can be referred to the committee for a public hearing
29 and subsequent committee action in the normal course.