

ORDINANCE 09-03-12-001 LEF

**AN ORDINANCE AMENDMENT UPDATING THE
KOSCIUSKO COUNTY LAW ENFORCEMENTS FUND
ORDINANCE**

CR Ord. of Nov. 19, 1991
91-14 RECORD 9190322

WHEREAS, IC 34-24-2-4 (formally IC 34-4-30.5-1) provides, among other things, civil remedies for racketeering activity (RICO) violations; and IC 34-24-1-1 provides civil remedies for the forfeiture of property used in violation of certain criminal statutes;

WHEREAS, there appear to be no constitutional or statutory provisions regarding the specific manner in which funds generated by forfeiture under the statutes are to be disposed of; and,

WHEREAS, the Board is empowered to enact ordinances in such situations under Home Rule Authority and did so on November 19, 1991.

WHEREAS, codes, reference in the original ordinance were repealed thus requiring new IC references.

THEREFORE BE IT ORDAINED, that the "County Law Enforcement Fund" be continued as originally established.

- A. The fund shall serve as a repository for funds received in the form of proceeds from the sale of or money received from the seizure of property under the provisions of IC 34-24-1-1 and IC 34-24-2-4 (formally IC 34-4-30.5-1) as well as other deposits in the form of voluntary surrender fees, reimbursement for restitution and other law enforcement related fees recovered by the County Prosecutor, or the County Sheriff, which fees are not otherwise required to be deposited in any other state or county funds.

- B. The County Law Enforcement Fund is subject to appropriation in accordance with IC 36-3-6-8. Monies in the Fund shall be utilized for law enforcement activities under the direction of the County Sheriff and the Kosciusko County Drug Task Force.
- C. Monies collected as contemplated in this county code section shall be transferred to the County Treasurer for deposit and disbursement as the County Sheriff and the Kosciusko County Drug Task Force may, from time to time, direct. Any money remaining in the County Law Enforcement Fund at the end of the year does not revert to any other fund, but remains in the County Law Enforcement Fund.

THEREFORE, this ordinance continues the original ordinance adopted in 1991 and amended September 22, 1992 effective immediately.

KOSCIUSKO COUNTY COUNCIL

**I affirm, under the penalties for perjury,
that I have taken reasonable care to redact
each Social Security number in this
document, unless required by law.**

Ray Sheuman

Harold Jones
HAROLD JONES, PRESIDENT

ABSENT
TOM ANGLIN, VICE PRESIDNET

Brad Tandy
BRAD TANDY

Charlene Knispel
CHARLENE KNISPEL

John Kinsey
JOHN KINSEY

Larry Tegtmeyer
LARRY TEGTMEYER

Bob Sanders
BOB SANDERS

ATTEST:

Marsha McSherry
MARSHA MCSHERRY, AUDITOR