

## **MONROE COUNTY ORDINANCE NO. 2017-08**

An Ordinance to Amend Chapter 270 of the Monroe County Code by adding Section 270-68, the Seized Asset Fund.

**WHEREAS**, I.C. 34-24-1 provides for the forfeiture of property used in certain criminal activities; and

**WHEREAS**, Law Enforcement Agencies as a result of the investigation and prosecution of criminal activities come into possession of forfeited property, donations and voluntary surrenders of funds and assets from criminal defendants; and

**WHEREAS**, I.C. 34-24-1-4 provides for the use of the seized, donated or surrendered assets to cover law enforcement costs as defined therein; and

**WHEREAS**, I.C. 36-1-3 grants Monroe County home rule powers needed for effective operation of local matters.

**NOW, THEREFORE, BE IT ORDAINED** by the Monroe County Commissioners as follows:

Section 1. Section 270-68 shall be, and hereby is, added to the Monroe County Code, as follows:

### **CHAPTER 270**

#### **FEES, CHARGES AND FUNDS**

##### **270-68 Seized Asset Fund**

There is hereby created a "Seized Asset Fund" (Seized Asset Fund). The Seized Asset Fund shall consist of deposits in the form of proceeds recovered by the Office of the Monroe County Prosecuting Attorney and/or Monroe County law enforcement agencies in forfeiture actions filed pursuant to Indiana Code Sections 34-24-1 and 24-24-2, liquidations of personal or real property obtained from criminal defendants in those actions, donations, and voluntary surrenders of funds and assets from criminal defendants.

- (A) The Seized Asset Fund shall be appropriate for funding law enforcement activities conducted by the Monroe County law enforcement agencies and/or other special crime units, and for reimbursement of expenses incurred by the Monroe County Prosecuting Attorney's Office in pursuing forfeiture and RICO actions.
- (B) The funds deposited in the Seized Asset Fund shall be appropriated and used by Monroe County law enforcement agencies, special crime units and the Monroe County Prosecutor's Office to cover the expenses and costs of

investigation and prosecution of criminal activity as provided in I.C. 34-24-1-4.


- (C) All monies collected under this Section shall be transferred to the County Auditor who shall deposit the monies with the Monroe County Treasurer in the Seized Asset Fund. Disbursement of these monies shall be directed by the Monroe County Prosecutor, subject to the appropriation requirement of subparagraph (E).
- (D) Monies remaining in the Fund at the end of the year shall not revert to any other fund but shall continue in the Seized Asset Fund.
- (E) Monies from this Fund shall be subject to appropriation by the Monroe County Council in accordance with I.C. 36-2-5-2.
- (F) The number assigned to this new fund by the Auditor is 4917.

SECTION 2. This Ordinance shall be in full force and effect upon passage and compliance with I.C. 35-2-4-8.

Adopted this 31<sup>st</sup> day of March, 2017.

MONROE COUNTY BOARD OF COMMISSIONERS

"YEAS"

  
\_\_\_\_\_  
Julie Thomas, President

  
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Amanda Barge, Vice President

  
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Patrick Stoffers, Commissioner

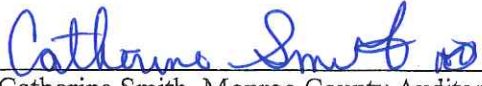
"NAYS"

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Julie Thomas, President

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Amanda Barge, Vice President

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Patrick Stoffers, Commissioner

ATTEST:

  
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Catherine Smith, Monroe County Auditor