

**LA PORTE COUNTY, INDIANA
LA PORTE COUNTY COUNCIL
ORDINANCE NO. 2015-4D**

AN ORDINANCE AUTHORIZING EXCESS FUNDS FROM THE PRE-TRIAL DIVERSION ACCOUNT TO THE PRE-TRIAL DIVERSION PROGRAM EXCESS FUND

WHEREAS, according to Indiana Code §33-37-8-1, a Pre-Trial Diversion Fee is collected by the LaPorte County Clerk's Office; and,

WHEREAS, according to Indiana Code § 33-37-8-1, the Clerk shall collect a Deferral Program fee; and,

WHEREAS, in accordance with Indiana Code §33-37-8-4, the LaPorte County Council "Council" adopted an ordinance outlining the process for the appropriation of excess funds to the office of the Prosecuting Attorney; and,

WHEREAS, Ordinance No. 199B, adopted by the Council, allows the Council to transfer excess funds from the Pre-Trial Diversion Program Fund to the Pre-Trial Diversion Program Excess Fund which was created by Ordinance No. 199B; and,

WHEREAS, in accordance with Indiana Code §33-37-8-4, and LaPorte County Ordinance No. 199B, the LaPorte County Prosecuting Attorney has certified to the Council that the amount in the Pre-Trial Diversion Program Fund exceeds the amount needed to finance the program's services during the calendar year; and,

WHEREAS, the amount in excess for the Pre-Trial Diversion Program Fund as provided by the LaPorte County Prosecuting Attorney is \$12,615.00, which is an accumulation of funds from October 1, 2014 through November 1, 2014; and,

WHEREAS, consistent with the Indiana Code 33-37-8-4, and the LaPorte County's General Ordinance No. 199B, the LaPorte County Prosecuting Attorney has requested the Council to appropriate the excess funds from the Pre-Trial Diversion Receipt Account (#2500-03276-000-0327) to the Prosecuting Attorney's Pre-Trial Diversion Excess Fund Account (#2500-20200-000-0327).

NOW, THEREFORE, BE IT ORDAINED BY THE LAPORTE COUNTY COUNCIL:

Section 1. That the \$12,615.00 excess monies from the Pre-Trial Diversion Fund will be transferred to the Pre-Trial Diversion Program Excess Fund.

Section 2. That the Prosecuting Attorney shall have discretion to distribute and utilize the monies in the Pre-Trial Excess Fund to further the pursuits of law enforcement, prosecution and for rehabilitation programs.

Section 3. Any monies remaining in the fund at the end of the fiscal year do not revert to any other fund but continue in the Pre-Trial Diversion Program Account in the Clerk's office and in the Pre-Trial Diversion Program Excess Fund.

Section 4. This Ordinance shall be in full force and effect upon passage.

PASSED AND ADOPTED this 27, day of April, 2015.

LA PORTE COUNTY COUNCIL



Mark Yagelski, Council President