

**ALLEN COUNTY CODE TITLE 8
PUBLIC SAFETY**

**ARTICLE 24
COUNTY PRISONER REIMBURSEMENT FUND**

8-24-1 Chapter 1: Creation of the Fund

It is hereby authorized and created a fund to be known as the “County Prisoner Reimbursement Fund”. Said Fund shall be funded by fees imposed by the sentencing court. Said funds shall only be used for the operation, construction, repaid, remodeling, enlarging, and equipping of the County jail or Juvenile Detention Center.

8-24-2 Chapter 2: The Purpose

The purpose of this Fund shall be to receive and account for those fees assessed to prisoners in the Allen County Jail, when fees are imposed by the sentencing Court.

8-24-3 Chapter 3: Definitions

8-24-3-1

Lawful Detention: For the purpose of this ordinance, the term as the same meaning as forth in I.C. 35-41-1-18.

8-24-3-2

Applicability: This ordinance applies to a person who is:

1. Sentenced under this ordinance for a felony or a misdemeanor;
2. Subject to lawful detention in a county jail for a period of more than 72 hours;
3. Not a member of a family that makes less than 150% of the federal income poverty level; and
4. Not detained as a child subject to the jurisdiction of a juvenile court.

8-24-4 Chapter 4: Fee Reimbursement Schedule

If fees are imposed by the sentencing court, a person who meets the criteria shall reimburse the county for his/her detention for a sum of the following amount:

1. The lesser of:
 - a. the per diem amount specified by County Council; or

- b. \$30.00;
Multiplied by each day or part of a day that the person is lawfully detained in a county jail or lawfully detained under I.C. 35-33-11-3 for more than six (6) hours.
2. The direct cost of investigating whether the person is indigent.
3. The cost of collecting the amount for which the person is liable under this section.

8-24-5 Chapter 5: Per Diem

The County Council shall fix the per diem, which amount shall reasonably relate to the average daily costs of housing a prisoner. If said person is transferred to the Department of Corrections under I.C. 35-33-11-3, as amended, the per diem is equal to the county under said statute.

8-24-6 Chapter 6: Investment & Nonreversion

All amounts placed in the Fund shall be invested and reinvested pursuant to the standard procedures followed by the County. Said funds shall not revert to the County's general fund at the end of the year. Interest earned shall be credited to the account.

8-24-7 Chapter 7: Effective Date

This ordinance shall be effective upon passage.

8-24-8 Chapter 8: Passage

Passed this 13th day of January 1999 as Resolution 99-02.

(Bloom R,ousseau, McComb)