

AN ORDINANCE OF WARREN COUNTY, INDIANA  
PROVIDING FOR PRISONER REIMBURSEMENT OF  
THE COST OF INCARCERATION

ORDINANCE NO. 2009-07

WHEREAS, IC 36-2-13-15 permits a county to be reimbursed by certain persons for certain costs of incarceration if the county legislative body has so elected by ordinance to implement IC 36-2-13-15; and

WHEREAS, IC 35-50-5-4 permits a court to order certain persons convicted of a felony or misdemeanor to execute a reimbursement plan and make repayments to the county for the costs described in IC 36-2-13-15, in an amount as set by the court; and

WHEREAS, the county fiscal body shall set the per diem at the amount that is reasonably related to the average daily cost of housing a person in the county jail, and

WHEREAS, the county legislative body shall, as prescribed in IC 36-2-13-16, establish a nonreverting county prisoner reimbursement fund and all amounts collected under IC 36-2-13-15 shall be deposited therein with appropriations from such fund used only for the operation, construction, repair, remodeling, enlarging, and equipment of the county jail; and

WHEREAS, the implementation of a prisoner reimbursement program will benefit the taxpayers of Warren County, Indiana.

NOW, THEREFORE, BE IT RESOLVED by the Warren County Board of Commissioners and the Warren County Council as follows:

1. Pursuant to IC 36-2-13-15 the county elects to implement the provision of the statute effective September 1, 2009.
2. The County Council hereby fixes a per diem rate of thirty five dollars (\$35.00).

3. The amount of the reimbursement shall be as prescribed in IC 36-2-13-15(d) or as set by court in IC 35-50-5-4(c).

4. If the court does not fix a reimbursement amount pursuant to IC 35-50-5-4(c), the county sheriff shall determine whether reimbursement is required under IC 36-2-13-15 because the person is not a member of a family that makes less than 150% of the federal poverty level guidelines.

5. The county sheriff shall collect the amounts due; if the county sheriff does not collect the amount due to the county, the county attorney may collect the amount due.

6. The Warren County Prisoner Reimbursement Fund is established as prescribed in IC 36-2-13-16.

ADOPTED by the Warren County Board of Commissioners and Warren County Council.

Board of Commissioners  
Warren County, Indiana

Dated 8-16-2009

Thomas A. Hetrick  
[Signature]  
[Signature]

Warren County Council

Dated 8/31/09

John Conner  
[Signature]  
[Signature]  
[Signature]

Dick Wobbeles  
John Layton

ATTEST:

Dated 8/31/09

Michelle Hetrick  
Michelle Hetrick, Auditor