

ORDINANCE 2024-BC-O- / _____

**ORDINANCE ESTABLISHING THE
MADISON COUNTY JAIL COMMISSARY FUND**

WHEREAS, the Madison County Board of Commissioners (hereinafter “The Commissioners”) is the executive body of Madison County, Indiana; and

WHEREAS, the Madison County Sheriff’s Department (hereinafter “MCSD”) maintains the Madison County Jail (hereinafter “The Jail”) established pursuant to I.C. § 36-2-2-24; and

WHEREAS, the Jail has a jail commissary that sells merchandise to inmates; and

WHEREAS, it is both the desire of The Commissioners and MCSD to establish a Jail Commissary Fund (hereinafter “The Fund”) for the existing jail commissary, pursuant to I.C. § 36-8-10-21(a); and

WHEREAS, the Sheriff, or the Sheriff’s designee without appropriation by the Madison County Council (hereinafter “The Council”), is authorized to disburse money from The Fund whereas The Fund is separate from Madison County’s budget’s general fund, and money in The Fund does not revert to the general fund, in accordance with I.C. § 36-8-10-21(b); and

WHEREAS, the Sheriff, or the Sheriff’s designee, in accordance with I.C. § 36-8-10-21(c), shall deposit all money from commissary sales into The Fund, which the Sheriff or Sheriff’s designee shall keep in a depository designated under I.C. § 5-13-8; and

WHEREAS, the Sheriff shall maintain a record of the fund’s receipts and disbursements via a form provided by the Indiana State Board of Accounts (*see* I.C. 36-8-10-21(e)); and

WHEREAS, the Sheriff shall semiannually provide a report which is a copy of this record of receipts and disbursements to The Council of which such reports are due on July 1st and December 31st of each year (*see Id.*); and

WHEREAS, The Commissioners have the authority to establish such a new fund.

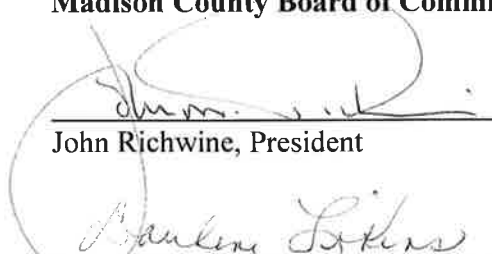
NOW, THEREFORE, BE IT ORDAINED by the Madison County Board of Commissioners, Madison County, Indiana that a Jail Commissary Fund be established and that the Sheriff, or the Sheriff’s designee, at the Sheriff’s or the Sheriff’s designee’s discretion and without appropriation by The Council, pursuant to I.C. § 36-8-10-21(d), may disburse money from the fund for:

- (1) Merchandise for resale to inmates through the commissary;
- (2) Expenses of operating the commissary, including, but not limited to, facilities and personnel;

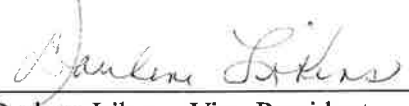
- (3) Special training in law enforcement for employees of the MCSD;
- (4) Equipment installed in The Jail;
- (5) Equipment including vehicles and computers, computer software, communication devices, office machinery and furnishings, cameras and photographic equipment, animals, animal training, holding and feeding equipment and supplies, or attire used by an employee of MCSD in the course of the employee's official duties;
- (6) An activity provided to maintain order and discipline among the inmates of The Jail;
- (7) An activity or program of MCSD intended to reduce or prevent occurrences of criminal activity, including the following:
 - (A) Substance abuse;
 - (B) Child abuse;
 - (C) Domestic violence;
 - (D) Drinking and driving;
 - (E) Juvenile delinquency;
- (8) Expenses related to the establishment, operation, or maintenance of the sex and violent offender registry website under I.C. § 36-2-13-5.5; or
- (9) Any other purpose the benefits MCSD that is mutually agreed upon by The Council and MCSD and formalized via joint resolution between the Sheriff and The Council. Money disbursed from the fund under this subsection must be supplemental or in addition to, rather than a replacement for, regular appropriations made to carry out the purposes listed in the above subsections (1) through (8).

SO ORDAINED AND APPROVED THIS 16th DAY of January, 2024.

Madison County Board of Commissioners



John Richwine, President



Darlene Likens, Vice-President



Olivia Pratt, Member

Attest:


Rick Gardner, Auditor

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. /s/ *Evan McMullen*

Prepared By:
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