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# SENATE BILL No. 368

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 5-2-11.

**Synopsis:** County drug free community fund. Provides that money remaining in the county drug free community fund after allocations to entities for services and activities shall be used to provide additional services and activities and to meet costs related to the operations of the local coordinating council.

**Effective:** July 1, 2007.

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January 11, 2007, read first time and referred to Committee on Local Government and Elections.

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First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

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## SENATE BILL No. 368



A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 5-2-11-5, AS AMENDED BY P.L.44-2006,  
2 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2007]: Sec. 5. (a) As used in this section, "commission"  
4 means the commission for a drug free Indiana established by  
5 IC 5-2-6-16.

6 (b) Subject to subsections (c) and (d), a county fiscal body shall  
7 annually appropriate from the fund amounts allocated by the county  
8 legislative body for the use of persons, organizations, agencies, and  
9 political subdivisions to carry out recommended actions contained in  
10 a comprehensive drug free communities plan submitted by the local  
11 coordinating council and approved by the commission as follows:

12 (1) For persons, organizations, agencies, and political  
13 subdivisions to provide prevention and education services, at least  
14 twenty-five percent (25%) of the money in the fund.

15 (2) For persons, organizations, agencies, and political  
16 subdivisions to provide intervention and treatment services, at  
17 least twenty-five percent (25%) of the money in the fund.



1 (3) For persons, organizations, agencies, and political  
2 subdivisions to provide criminal justice services and activities, at  
3 least twenty-five percent (25%) of the money in the fund.

4 (4) ~~A county fiscal body shall annually appropriate~~ The remaining  
5 money in the fund ~~allocated by the county legislative body to~~  
6 **shall** be used by persons, organizations, agencies, and political  
7 subdivisions **for any or all of the following purposes:**

8 (A) To provide services and activities under subdivisions (1)  
9 through (3).

10 (B) **To meet the following costs related to the operations of**  
11 **the local coordinating council:**

- 12 (i) **Administrative costs.**
- 13 (ii) **Purchases of real estate.**
- 14 (iii) **Construction, renovation, or maintenance of a**  
15 **building or structure.**
- 16 (iv) **Furnishings.**

17 (c) In the comprehensive drug free communities plan, the local  
18 coordinating council shall determine the amount of funds the county  
19 fiscal body shall appropriate to implement the objectives approved in  
20 the comprehensive drug free communities plan.

21 (d) If the comprehensive drug free communities plan is not  
22 approved by the commission, the county fiscal body may not  
23 appropriate any funds at the request of the local coordinating council  
24 or any other local entity.

25 (e) If funds are allocated by a county legislative body under  
26 subsection (b) and the commission has not approved the  
27 comprehensive drug free communities plan for the county, the  
28 commission may:

- 29 (1) approve and appoint a new local coordinating council for the  
30 county;
- 31 (2) freeze funds allocated by the county legislative body; or
- 32 (3) reevaluate the comprehensive drug free communities plan.

33 SECTION 2. IC 5-2-11-6 IS AMENDED TO READ AS FOLLOWS  
34 [EFFECTIVE JULY 1, 2007]: Sec. 6. (a) The fund may not be used to  
35 replace other funding for alcohol and drug abuse services provided to  
36 the county.

37 (b) **Money allocated from the fund under section 5(b)(1) through**  
38 **5(b)(3) of this chapter may not be used to meet the costs set forth**  
39 **in section 5(b)(4)(B) of this chapter.**

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