

IC 14-9-9

Chapter 9. Counties with Special Boat Patrol Needs

IC 14-9-9-1

"Department" defined

Sec. 1. As used in this chapter, "department" refers to the department of natural resources.

As added by P.L.137-1997, SEC.3.

IC 14-9-9-2

"Fiscal body" defined

Sec. 2. As used in this chapter, "fiscal body" has the meaning set forth in IC 36-1-2-6(1) or IC 36-1-2-6(2), whichever applies.

As added by P.L.137-1997, SEC.3.

IC 14-9-9-3

"Fund" defined

Sec. 3. As used in this chapter, "fund" refers to the counties with special boat patrol needs fund established by section 5 of this chapter.

As added by P.L.137-1997, SEC.3.

IC 14-9-9-4

"Lake" defined

Sec. 4. As used in this chapter, "lake" has the meaning set forth in IC 14-8-2-137(1).

As added by P.L.137-1997, SEC.3.

IC 14-9-9-5

Establishment of fund; operation

Sec. 5. (a) The counties with special boat patrol needs fund is established exclusively to provide grants to certain counties to provide law enforcement services on lakes or boundary waters located within the counties.

(b) The department shall administer the fund. Money in the fund includes money transferred from the conservation officers marine enforcement fund (IC 14-9-8-21.5). Money in the fund is annually appropriated to the department and shall be used exclusively for the enforcement of laws pertaining to watercraft on lakes or boundary waters located in counties with special boat patrol needs as described in this chapter.

(c) The expenses of administering the fund shall be paid from money in the fund.

(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

(e) Money in the fund at the end of a fiscal year does not revert to the state general fund.

As added by P.L.137-1997, SEC.3. Amended by P.L.233-2003, SEC.5; P.L.219-2014, SEC.17.

IC 14-9-9-6

Distribution of grants from fund; formula

Sec. 6. The department shall develop a formula for the distribution of grants from the fund. The formula must take into account at least the following factors:

- (1) The number of lakes or boundary waters located within the county.
- (2) The extent of boat usage for each lake or boundary waters in the county.
- (3) The total number of acres of lake or boundary waters surface within the county.
- (4) The extent to which law enforcement services on the lakes or boundary waters located within the county are provided by the county.
- (5) Any other pertinent factor that affects the extent to which law enforcement services are provided on lakes or boundary waters located within the county.

As added by P.L.137-1997, SEC.3. Amended by P.L.219-2014, SEC.18.

IC 14-9-9-7

Grant eligibility requirements

Sec. 7. For a county to be eligible to receive a grant from the fund, each year in which a grant is sought the following must occur:

- (1) The county sheriff must submit to the fiscal body an estimated budget request to provide special needs boat patrol on lakes or boundary waters located within the county. If the county sheriff does not request a grant from the fund, the fiscal body may complete an estimated budget.
- (2) If the budget request is approved, the fiscal body must timely apply to the department, on forms provided by the department, for a grant under this chapter.
- (3) The department must certify the information on the application and, based on the formula developed under section 6 of this chapter, determine:
 - (A) whether the county may receive a grant; and
 - (B) the amount of the grant the county may receive; under this chapter.

As added by P.L.137-1997, SEC.3. Amended by P.L.217-2011, SEC.1; P.L.219-2014, SEC.19.

IC 14-9-9-8

Restrictions on grant usage

Sec. 8. (a) If a county is awarded a grant under this chapter, the county must establish a special account within the county's general fund. The grant must be deposited in the special account for the county sheriff's or fiscal body's exclusive use in providing law enforcement services on lakes or boundary waters located within the county.

- (b) The county sheriff or fiscal body may use grant money as

authorized under this chapter without appropriation. However, itemized receipts for expenditures of money granted from the fund must be submitted for inspection and review upon request of the department. At the request of the department, the county auditor of the participating county shall conduct an audit of the account.

(c) The receipt of a grant under this chapter may not be used as a basis for lowering the county's maximum permissible ad valorem property tax levy.

(d) All individuals providing law enforcement services using a grant under this chapter, whether under the authority of the county sheriff or under a contract with the fiscal body, must meet the minimum training requirement set forth in IC 5-2-1-9.

As added by P.L.137-1997, SEC.3. Amended by P.L.217-2011, SEC.2; P.L.219-2014, SEC.20.

IC 14-9-9-9

Time of distributions

Sec. 9. The department shall make the grant distributions to the recipient counties in May and November.

As added by P.L.137-1997, SEC.3.

IC 14-9-9-10

Adoption of rules

Sec. 10. The department shall adopt rules under IC 4-22-2 to implement this chapter, including rules governing:

- (1) the deadlines for applying for a grant under this chapter; and
- (2) the types of expenses incurred by a county sheriff's department in providing the law enforcement services on lakes or boundary waters in the county for which grant money may be used.

As added by P.L.137-1997, SEC.3. Amended by P.L.219-2014, SEC.21.