

## **IC 5-2-11**

### **Chapter 11. County Drug Free Community Fund**

#### **IC 5-2-11-0.5**

##### **"Criminal justice services and activities" defined**

Sec. 0.5. As used in this chapter, "criminal justice services and activities" means programs that assist:

- (1) law enforcement agencies;
- (2) courts;
- (3) correctional facilities;
- (4) programs that offer probation services; and
- (5) community corrections programs;

with individuals who have alcohol or drug addictions and who are suspected of having committed a felony or misdemeanor, have been charged with a felony or misdemeanor, or have been convicted of a felony or misdemeanor.

*As added by P.L.44-2006, SEC.4.*

#### **IC 5-2-11-1**

##### **"Fund" defined**

Sec. 1. As used in this chapter, "fund" refers to a county drug free community fund established by this chapter.

*As added by P.L.12-1990, SEC.3.*

#### **IC 5-2-11-1.3**

##### **"Intervention" defined**

Sec. 1.3. As used in this chapter, "intervention" means:

- (1) activities performed to identify persons in need of addiction treatment services; and
- (2) referring persons to or enrolling persons in addiction treatment programs.

*As added by P.L.62-1995, SEC.1.*

#### **IC 5-2-11-1.6**

##### **"Local coordinating council" defined**

Sec. 1.6. As used in this chapter, "local coordinating council" means a countywide citizen body approved and appointed by the commission for a drug free Indiana to plan, monitor, and evaluate comprehensive local alcohol and drug abuse plans.

*As added by P.L.44-2006, SEC.5.*

#### **IC 5-2-11-1.8**

##### **"Prevention" defined**

Sec. 1.8. As used in this chapter, "prevention" means the anticipatory process that prepares and supports an individual and programs with the creation and reinforcement of healthy behaviors and lifestyles.

*As added by P.L.44-2006, SEC.6.*

#### **IC 5-2-11-1.9**

**"Prevention initiative" defined**

Sec. 1.9. As used in this chapter, "prevention initiative" means a program that is designed to decrease alcohol or drug use.  
*As added by P.L.44-2006, SEC.7.*

**IC 5-2-11-2**

**Purpose; composition**

Sec. 2. A county drug free community fund is established in each county to promote comprehensive local alcohol and drug abuse prevention initiatives by supplementing local funding for treatment, education, and criminal justice efforts. The fund consists of amounts deposited under IC 33-37-7-2(c) and IC 33-37-7-8(e).  
*As added by P.L.12-1990, SEC.3. Amended by P.L.98-2004, SEC.57; P.L.1-2006, SEC.91.*

**IC 5-2-11-3**

**Administration of fund**

Sec. 3. The county auditor shall administer the fund. Expenditures from the fund shall be made in accordance with appropriations made under section 5 of this chapter.  
*As added by P.L.12-1990, SEC.3.*

**IC 5-2-11-4**

**Surplus funds**

Sec. 4. Money in the fund at the end of a fiscal year does not revert to any other fund.  
*As added by P.L.12-1990, SEC.3.*

**IC 5-2-11-5**

**"Commission" defined; allocation of funds; approval of plan by commission**

Sec. 5. (a) As used in this section, "commission" means the commission for a drug free Indiana established by IC 5-2-6-16.

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

- (1) For persons, organizations, agencies, and political subdivisions to provide prevention and education services, at least twenty-five percent (25%) of the money in the fund.
- (2) For persons, organizations, agencies, and political subdivisions to provide intervention and treatment services, at least twenty-five percent (25%) of the money in the fund.
- (3) For persons, organizations, agencies, and political subdivisions to provide criminal justice services and activities, at least twenty-five percent (25%) of the money in the fund.
- (4) A county fiscal body shall allocate the remaining twenty-five percent (25%) of the money in the fund to persons,

organizations, agencies, and political subdivisions to provide services and activities under subdivisions (1) through (3) based on the comprehensive drug free communities plan submitted by the local coordinating council and approved by the commission.

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

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

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

(1) approve and appoint a new local coordinating council for the county;

(2) freeze funds allocated by the county legislative body; or

(3) reevaluate the comprehensive drug free communities plan.

*As added by P.L.12-1990, SEC.3. Amended by P.L.50-1993, SEC.4; P.L.62-1995, SEC.2; P.L.44-2006, SEC.8; P.L.26-2007, SEC.1.*

#### **IC 5-2-11-6**

##### **Prohibited uses**

Sec. 6. The fund may not be used to replace other funding for alcohol and drug abuse services provided to the county.

*As added by P.L.12-1990, SEC.3.*