

COUNTY OF MARTIN
COUNTY COUNCIL ORDINANCE NO. 2002-01

WHEREAS, IC 33-19-6-20, as added by SECTION 23 P.L. 280-2001 ("Act"), authorizes a court to adopt a local rule to impose a late payment fee on certain defendants; and

WHEREAS, IC 33-19-7-1(f), as added by SECTION 25 of the Act, requires the clerk of the circuit court to monthly distribute to the county auditor one hundred percent (100%) of the late payment fee collected under IC 33-19-6-20; and

WHEREAS, IC 33-19-7-1(f)(1), as added by SECTION 25 of the Act, provides that, if directed to do so by an ordinance adopted by the county fiscal body, the county auditor shall deposit forty percent (40%) of the late payment fees collected under IC 33-19-6-20 in the clerk's record perpetuation fund established under IC 33-19-6-1.5 and sixty percent (60%) of the late payment fees collected under IC 33-19-6-20 in the county general fund; and

WHEREAS, IC 33-19-7-1(f)(2), as added by SECTION 25 of the Act, provides that, in the absence of an ordinance adopted in accordance with IC 33-19-7-1(f)(1), the county auditor is required to deposit all of the late payment fees in the county general fund; and

WHEREAS, the Clerk of the Martin Circuit has requested that the Martin County Council adopt an ordinance as described in IC 33-19-7-1(f)(1); now therefore:

BE IT ORDAINED BY THE COUNTY COUNCIL OF
MARTIN COUNTY, INDIANA;

SECTION 1. The Martin County Council hereby directs the Martin County Auditor to deposit forty percent (40%) of the late payment fees collected under IC 33-19-6-20 In the Clerk's Record Perpetuation Fund established under IC 33-19-6-1.5 and sixty percent (60%) of the late payment fees collected under IC 33-19-6-20 in the County General Fund.

SECTION 2. This Ordinance applies to late fees distributed to the Martin County Auditor after January 1, 2002

SECTION 3. This ordinance shall be in full force and effect from and after its passage and signing by the presiding officer.

Adopted this 11th day of February, 2001, by a vote of 4 ayes and 0 nays.

COUNTY COUNCIL OF
MARTIN COUNTY, INDIANA

Carlton Regedale
Presiding Officer

ATTEST:

James K. Taylor
Martin County Auditor