

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating \$38,730.00 from the undesignated fund balance of the 2012 Asset and Bond Forfeiture Fund to cover the purchase of computers and printers for the Prosecuting Attorney's Office.

ORDINANCE #4451, September 17, 2012

INTRODUCED BY James D. Tindall, County Legislator

WHEREAS, the Prosecuting Attorney's has received Asset and Bond Forfeiture Funds, which are the proceeds from seizures by law enforcement agencies pursuant to section 513.647, RSMo; and,

WHEREAS, the expenditure of these funds is restricted to the purchase of equipment that has a reasonable relationship to the work of the local law enforcement agency that resulted in the forfeiture; and,

WHEREAS, an appropriation is necessary to place the funds in the appropriate spending accounts; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, that the following appropriation be and hereby is made from the undesignated fund balance of the 2012 Asset and Bond Forfeiture Fund:

DEPARTMENT/DIVISION CHARACTER/DESCRIPTION FROM TO

Federal Forfeiture Funds

Prosecutor

046-2810 Undesignated Fund Balance \$38,730

046-4101 58171 - Computer Equipment \$37,070

046-4101 58172 – Printer \$ 1,660

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

[Signature]
Chief Deputy County Counselor

[Signature]
County Counselor

I hereby certify that the attached Ordinance, Ordinance #4451 introduced on September 17, 2012, was duly passed on September 24, 2012 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9

Nays 0

Abstaining 0

Absent 0

This Ordinance is hereby transmitted to the County Executive for his signature.

9.25.12
Date

[Signature]
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance #4451.

9/25/2012
Date

[Signature]
Michael D. Sanders, County Executive

Funds sufficient for this appropriation are available from the source indicated below.

ACCOUNT NUMBER: 046 2810
ACCOUNT TITLE: Federal Forfeiture Funds
Undesignated Fund Balance
NOT TO EXCEED: \$38,730.00

September 13, 2012
Date

[Signature]
Director of Finance and Purchasing

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res~~/Ord No.: 4451

Sponsor(s): James D. Tindall

Date: September 17, 2012

<p>SUBJECT</p>	<p>Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Ordinance appropriating Asset and Bond Forfeiture Funds in the amount of \$38,729.67</u></p>														
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1" data-bbox="326 548 1195 1012"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$38,729.67</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$38,729.67</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number;</td> <td></td> </tr> <tr> <td>FROM 046 – Asset and Bond Forfeiture Funds-\$38,729.67</td> <td>FROM ACCT \$38,729.67</td> </tr> <tr> <td>TO 046-4101-58171 046-4101-58172</td> <td>TO ACCT \$37069.67 \$ 1,660.00</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	\$38,729.67	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$38,729.67	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number;		FROM 046 – Asset and Bond Forfeiture Funds-\$38,729.67	FROM ACCT \$38,729.67	TO 046-4101-58171 046-4101-58172	TO ACCT \$37069.67 \$ 1,660.00
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<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date): N/A</p> <p>Prior resolutions and (date):</p>														
<p>CONTACT INFORMATION</p>	<p>RLA drafted by (name, title, & phone): Jean Peters Baker, Prosecutor, 816-881-3555</p>														
<p>REQUEST SUMMARY</p>	<p>Pursuant to Missouri Revised Statute 513.647, local law enforcement may transfer seized property to federal authorities in limited circumstances.</p> <p>Following a successful seizure by the federal authorities, local law enforcement, including State and local prosecutorial agencies, may receive a percentage of the proceeds for specified law enforcement needs or activities (<i>See</i> 21 U.S.C. § 881(e)(1)(A) ; 21 U.S.C. § 881(e)(3) ; 18 U.S.C. § 981(e)(2); 19 U.S.C. § 1616a). The property transferred to State or local law enforcement must bear a reasonable relationship to the participation or work of the local law enforcement agency that resulted in the forfeiture. (881 U.S.C.(e)(3)).</p>														

	<p>This practice dates back to the passage of the Comprehensive Crime Control Act of 1984, which authorized federal officials to implement a national asset forfeiture program.</p> <p>An ordinance accepting funds from the Federal Forfeiture Unit for seizures of said property in the commission of criminal activity.</p> <p>Please transfer \$38,729.61 and appropriate \$38,729.61 from the fund balance of the Asset and Bond Forfeiture Funds.</p> <p>Please transfer \$38,729.61 from 046 fund and appropriate \$38,729.61 into 046-4101:</p> <p>58171 Personal Computer / Accessories \$37,069.67 58172 Printers \$1,660.00</p>	
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS		
REVIEW	Department Director: <i>Juan Peters Baker</i> Finance (Budget Approval): <i>If applicable</i> <i>A. Lehmann Ball</i> Division Manager: County Counselor's Office:	Date: <i>9/12/12</i> Date: <i>9-12-12</i> Date: <i>9/12/12</i> Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:
046-4101-58171	Asset and Bond Forfeiture Fund	\$37,069.67
046-4101-58172	Asset and Bond Forfeiture Fund	\$ 1,660.00

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

Supplemental Appropriation Request Jackson County, Missouri

Funds sufficient for this appropriation are available from the source indicated below.

Date: September 11, 2012

ORD # 4451

Department / Division	Character/Description	From	To
046 - Federal Forfeiture Funds			
2810	Undesignated Fund Balance	38,730	
4101 - Prosecutor	58171 - Personal Computers		37,070
	58172 - Printers		1,660
		38,730	38,730

Robert S Ball 9-11-12
Budgeting