

Title 5

SPECIAL ASSESSMENTS AND FUNDS

Title 5: Special Assessments and Funds
Chapter 10: Justice's Courts Facilities Administrative Assessment
Sections: .010 through .080

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Chapter 10 - JUSTICE'S COURTS FACILITIES ADMINISTRATIVE
ASSESSMENT

.010 Statement of purpose

Eureka County, upon recommendation of both Justice's Courts as required by N.R.S. 176.0611, authorizes the Justices or Judges of the Justice's Courts within the County to impose an additional administrative assessment for the provision of court facilities upon all misdemeanor offenses, except as otherwise provided for herein.

.020 Sunset provision

This chapter no longer has force or effect upon its repeal, or upon the enforcement of this additional administrative assessment for a period of fifty (50) years to December 31, 2051; whichever is earlier.

.030 Amount of administrative assessment

When a defendant pleads guilty or is found guilty of a misdemeanor, including the violation of any ordinance, the Justice's Court shall include in the sentence the sum of ten (\$10.00) dollars as an additional administrative assessment for the provision of court facilities and render a judgment against the defendant for the assessment.

.040 Exceptions to administrative assessment

The additional administrative assessment shall not apply to an ordinance regulating metered parking, or an ordinance that is specifically designed to impose a civil penalty, or liability pursuant to N.R.S. 244.3575 (parking civil penalty).

.050 Application of installment payments

If the Court permits fines and administrative assessments to be paid in installments, then the payments must be applied in the following order:

FIRST, to pay any unpaid balance of an administrative assessment imposed by N.R.S. 176.059.

SECOND, to pay the unpaid balance of this additional administrative assessment for court facilities.

THIRD, to pay the fine.

.060 Collection and accounting

The money collected for an administrative assessment for the provision of court facilities may not be deducted from the fine imposed but must be taxed against the defendant in addition to the fine. The money collected for such an administrative assessment must be stated separately on the docket and must be included in the amount posted for bail. If the defendant is found not guilty or the charges are dismissed, the money deposited with the court must be returned to the defendant. If the Court cancels a fine because the fine has been determined to be uncollectible, any balance of the fine and the administrative assessment remaining unpaid shall also be deemed uncollectible. If a fine is determined to be uncollectible, the defendant is not entitled to any refund of the fine or administrative assessment he has paid and the Court shall not recalculate the administrative assessment.

.070 Money disbursement

The money collected by this ordinance must be paid by the clerk of the Justice's Courts to the County Treasurer on or before the fifth (5th) day of each month for the preceding month. The Treasurer shall deposit the money received to a special revenue fund. The County may use the money in the special revenue fund only to:

- A. Acquire land on which to construct additional facilities for the Justices' Courts or a regional justice center that includes the Justices' Courts.
- B. Construct or acquire additional facilities for the Justices' Courts or a regional justice center that includes the Justices' Courts.
- C. Renovate or remodel existing facilities for the Justices' Courts.
- D. Acquire furniture, fixtures, and equipment necessitated by the construction or acquisition of additional facilities or the renovation of an existing facility for the Justices' Courts or a regional justice center that includes the Justices' Courts. This paragraph does not authorize the expenditure of money from the fund for furniture, fixtures or equipment for judicial chambers.
- E. Acquire advanced technology for use in the additional or renovated facilities. Any money remaining in the special revenue fund after five (5) fiscal years must be deposited in the County general fund for the continued maintenance of Court facilities if it has not been committed to expenditure pursuant to a plan for the construction or acquisition of Court facilities or improvements to Court facilities.

.080 Reports

The County Treasurer shall provide monthly reports of the revenue credited to and expenditures made from the special revenue fund.

Chapter 20 - FORENSIC SERVICES FUND

.010 Forensic services fund created

There is created in the County Treasury a fund to be used for forensic services.

.020 Clerk - Duties

The monies collected pursuant to N.R.S. 453.575 must be paid by the Clerk of the Court to the County Treasurer on or before the fifth (5th) day of each month for the preceding month.

.030 Treasurer - Duties

Upon receipt of any monies collected due to the analysis of a controlled substance or dangerous drug, the County Treasurer shall deposit said monies in the fund for forensic services, and the money from such deposits must be accounted for separately within the fund.

.040 Conditions

Each month the Treasurer shall pay any amount owed for forensic services from the fund, and deposit any remaining money in the general fund. Money from the fund must not be expended to cover the costs of analyses conducted by, equipment used by, or training for employees of an analytical laboratory not registered with the Drug Enforcement Administration of the United States Department of Justice.

Chapter 30 - ASSESSOR TECHNOLOGY FUND

.010 Assessor technology fund created

Beginning in 2005, there is hereby created in the County's general fund an account to be designated as the Account for the Acquisition and Improvement of Technology in the Office of the County Assessor.

.020 Accounting

The money in the account must be accounted for separately and not as a part of any other account, and must not be used to replace or supplant any money available from other sources to acquire technology for and improve technology used in the office of the County Assessor.

.030 Authorized expenditures

The money in the account must be used to acquire technology for or improve the technology used in the office of the County Assessor, including without limitation the payment of costs associated with acquiring or improving technology for converting and archiving records, purchasing hardware and software, maintaining the technology, training employees in the operation of the technology, and contracting for professional services relating to the technology. At the discretion of the County Assessor, the money may be used by other County offices that do business with the County Assessor.

.040 Report to Commissioners

On or before July 1 of each year, the County Assessor shall submit to the Board of County Commissioners a report of the projected expenditures of the money in the account for the following fiscal year. Any money remaining in the account at the end of a fiscal year that has not been committed for expenditure reverts to the County general fund.