

## **ELECTRONIC SUMMONS SYSTEM COST ASSESSMENT**

**WHEREAS**, the Code of Virginia permits court costs to be assessed in criminal, civil and traffic cases; and,

**WHEREAS**, the Board of Supervisors of Carroll County, upon request of the Sheriff and Courts, desires to implement a new electronic summons system; and,

**WHEREAS**, in 2014, the Virginia General Assembly actions (Virginia Code 17.1-279.1) provided for localities to charge up to a \$5.00 assessment relating to electronic summons systems that permits the additional sum as part of the court costs in each criminal or traffic case in the district or circuit courts for defendants charged with a violation of any statute or ordinance; and,

**WHEREAS**, the new assessment is to be collected by the clerk of each court and held by the treasurer in a separate internal record; and,

**WHEREAS**, the funds are to be disbursed to fund electronic summons equipment for Carroll County Law Enforcement Agencies for the sole purpose of funding software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system; and,

**WHEREAS**, the Board of Supervisors of Carroll County desires to consider this new ordinance on an electronic summons system assessment to offset the costs of hardware, software and equipment; and,

**NOW, THEREFORE, BE IT ORDAINED** on this \_\_\_\_\_ day of \_\_\_\_\_, 2020, that such fee assessment is hereby proposed as set forth below:

### **COST ASSESSMENT FOR ELECTRONIC SUMMONS SYSTEMS**

#### ***Assessment and Collection.***

The Clerk of the District Courts and the Clerk of the Circuit Court of the County shall initially assess and collect an additional sum of \$5.00 as part of the costs in each criminal or traffic case in the district or circuit courts located within its boundaries in which the defendant is charged with a violation of any statute or ordinance. The Carroll County Board of Supervisors shall, on an annual basis, review the fee, and if sufficient funds are available to maintain the system, the fee shall be adjusted to an amount that covers maintenance and replacement costs.

The assessment shall be collected by the clerk of each of the respective courts, which shall be remitted to the county treasurer. The Treasurer shall maintain a separate internal record, and funds shall be held by such Treasurer subject to disbursements by the governing body to purchase and maintain an electronic summons system.

***Appropriation of funds.***

All funds received by the County as a result of this section may be appropriated by the governing body for disbursement for an electronic summons systems located within Carroll County to fund software, hardware, associated equipment costs for the development, maintenance and installation of an electronics summons system. The funds shall be held by the Treasurer until such funds are adequate as determined by the County Purchasing Agent to fully implement the system into County owned vehicles and courts.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2020 by a recorded vote as follows:

NAME	FOR	AGAINST	ABSENT	ABSTAIN
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