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STATE OF ALABAMA

APR 24 1990

90-00233

Honorable E. E. Sosebee
Sheriff
P. O. Box 428
Oneonta, AL 35121

Sheriffs - Funds

Proceeds from Blount County
pistol permit fund may be used
to pay for law enforcement
personnel to participate in
exercise program if sheriff
requires all deputy sheriffs to
participate in such a program.

Dear Sheriff Sosebee:

This opinion is issued in response to your request for an
opinion from the Attorney General.

QUESTION

May the sheriff's office legally expend
proceeds from the pistol permit fund to pay
for law enforcement personnel to attend an
exercise program that is conducted during
off-duty hours?

FACTS AND ANALYSIS

In the opinion request you state that participation in the
exercise program would be on a voluntary basis and the program
would be conducted by civilian, rather than law enforcement,
personnel.

Act No. 67-179 (1967 Regular Session) provides in pertinent
part:

"Section 1. In Blount County the fee for issuing a license to carry a pistol as provided in Alabama Code Title 14, Section 177, shall be five dollars, which shall be collected by the sheriff and paid by him into the county treasury. Four-fifths of each fee collected shall be deposited to the credit of a special fund, to be designated as the sheriff's law enforcement fund, and the remainder shall be deposited in the county's general fund. The special fund must be used and expended by the sheriff for the employment of personnel, the purchase of equipment, materials, and supplies, and for any other lawful purpose related to law enforcement work within the county."

It is the opinion of this office that proceeds from the pistol permit fund may be used to pay for law enforcement personnel to participate in an exercise program if the sheriff requires all deputy sheriffs to participate in such a program.

CONCLUSION

The proceeds from the Blount County pistol permit fund may be used to pay for law enforcement personnel to participate in an exercise program if the sheriff requires all deputy sheriffs to participate in such a program.

I hope this sufficiently answers your question. If our office can be of further assistance, please do not hesitate to contact us.

Sincerely,

DON SIEGELMAN
Attorney General
By:


JEAN WILLIAMS BROWN
Assistant Attorney General

DS/JWB/jho

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