



WILLIAM J. SCOTT

ATTORNEY GENERAL
STATE OF ILLINOIS
500 SOUTH SECOND STREET
SPRINGFIELD

May 26, 1977

FILE NO. S-1241

COUNTIES:
Forest Service Patrols

Honorable Timothy L. Fornes
State's Attorney
Hardin County
Elizabethtown, Illinois 62931

Dear Mr. Fornes:

I have your letter wherein you ask whether payments received from the United States Forest Service for patrolling Forest Service lands pursuant to a contract between the sheriff and the chairman of the board of commissioners of the county and the Forest Service are to be deposited with the county treasurer. It is my opinion that the money is to be deposited with the county treasurer. The contract is between the county and the Forest Service. Therefore, any

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money received under the contract should be deposited with the county treasurer. The deputies are performing the patrols as deputy sheriffs and using vehicles provided by the sheriff. The deputies who do the patrols do not have a private employment contract with the Forest Service.

In your letter you refer to opinion No. S-1068, issued March 18, 1976, which dealt with the employment of deputy sheriffs as private security guards during off-duty hours. That opinion is not applicable to this situation because the deputy sheriffs were working as security guards under a private employment contract and not as deputy sheriffs pursuant to a county contract.

If the county board wishes to compensate the sheriff and his deputies for performing the patrols they could appropriate a portion or all of the money collected from the Forest Service for deputy compensation; however, they are not required to do so.

Very truly yours,

A T T O R N E Y G E N E R A L