

STARKE COUNTY COMMISSIONERS
ORDINANCE 2020- 005
SEX AND VIOLENT OFFENDER REGISTRATION
AND ADDRESS CHANGE FEES

THE BOARD OF COMMISSIONERS OF STARKE COUNTY, INDIANA (the "Commissioners"), being the executive and legislative body for Starke County, Indiana, has been requested by Starke County Sheriff's Department to replace Ordinance 2008-15 *Sex or Violent Offender Registration Fee* (ordained pursuant to Ind. Code § 11-8-8-21) with a new Ordinance also exercising the authority vested in the County executive but also exercising their authority pursuant to I.C. § 36-2-13-5.6.

The Commissioners being duly advised, now desire to rescind Ordinance 2008-15 and replace it with this Ordinance 2020- 005, *Sex and Violent Offender Registration and Address Fees*, with the intention of fully exercising their authority pursuant to I.C. § 36-2-13-5.6 to (a) authorize the Starke County Sheriff to collect an Annual Sex or Violent Offender Registration Fee and to collect (b) a Sex or Violent Offender Address Change Fee; and (c) establish the Starke County Sex or Violent Offender Administration Fund to help defray the expenses of the administration of the sex or violent offender registration system.

NOW THEREFORE, IT IS HEREBY ORDAINED by the Commissioners, that the Sex or Violent Offender Registration Fee, the Sex or Violent Offender Address Change Fee, and the Starke County Sex or Violent Offender Administration Fund are hereby established as follows:

1. **Sex or Violent Offender Administration Fund Established.** The Starke County Sex or Violent Offender Administration Fund is hereby established pursuant to the authority of I.C. § 36-2-13-5.6. The purpose of the fund is to defray the expense of administering and enforcing compliance with the laws concerning the Indiana sex and violent offender registry. The Starke County Council may appropriate money from this fund for that purpose.

2. **Annual Sex or Violent Offender Registration Fee.** The annual fee for sex or violent offenders registering in Starke County shall be Fifty Dollars (\$50.00). Payment of the fee shall be made upon the offender's initial registration in Starke County and subsequently on or before each annual registration date.

3. **Change of Address Fee.** A fee of Five Dollars (\$5.00) shall be charged and collected each time a sex or violent offender registers a change of address with the Starke County Sheriff's Department.

4. **Payment or Collection of Fees.** The Starke County Sheriff's Department shall collect the fees set forth above when a sex or violent offender registers with the Sheriff's Department.

5. **Procedures for Handling of Fees Collected.** All fees collected by the Starke County Sheriff's Department under this Ordinance shall be promptly delivered and transferred to the Starke County Auditor. Each month, the Starke County Auditor shall (a) deposit ninety percent (90%) of all fees collected under this Ordinance into the Starke County Sex and Violent Offender Administration Fund pursuant to I.C. § 36-2-13-5.6; and (b) transfer ten percent (10%) of all fees so collected to the State of Indiana for deposit in the state Sex and Violent Offender Administration Fund under I.C. § 11-8-8-21;

6. **Replacement of Ordinance 2008-15; Savings Clause.** This Ordinance supersedes, replaces and repeals all prior ordinances dealing with the same subject matter, including Ordinance 2008-15 as well as any subsequent amendments thereof. However, this Ordinance is not intended to and shall not be construed to terminate any obligation formed under Ordinance 2008-15, but rather such existing obligations shall continue uninterrupted but henceforth under the terms hereof. Obligations and requirements accruing on or after the enactment of this Ordinance shall be interpreted according to the terms hereof.

NOW, THEREFORE, BE IT ORDAINED that the Starke County Code be amended to add Commissioners' Ordinance 2020-~~005~~, the SEX AND VIOLENT OFFENDER REGISTRATION superseding, replacing and repealing all prior ordinances inconsistent with the terms hereof. This Ordinance shall take effect upon passage.

Presented to the Board of Commissioners of Starke County, Indiana, and approved on the Final reading the 3 day of February 2020, by the following vote:

Dated: February 3, 2020.

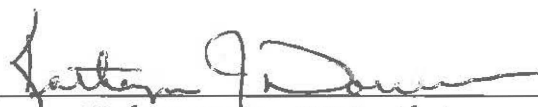
STARKE COUNTY COMMISSIONERS

VOTE

yes


Charles Chesak, President

yes


Kathryn Norem, Vice President

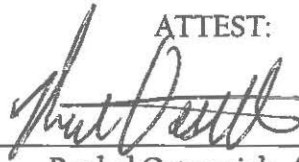
February 3, 2020

[SEX AND VIOLENT OFFENDER REGISTRATION FEE]

YRS


Bryan Cavender, Commissioner

ATTEST:



Rachel Osterreich, Auditor
Of Starke County Indiana