

ORDINANCE NO. 2021-06

AN ORDINANCE AMENDING ORDINANCE NO. 2010-04, ESTABLISHING AN ANNUAL SEX OR VIOLENT OFFENDER REGISTRATION FEE, A SEX OR VIOLENT OFFENDER ADDRESS CHANGE FEE, AND ESTABLISHING THE CASS COUNTY SEX OR VIOLENT OFFENDER ADMINISTRATION NON-REVERTING FUND

WHEREAS, the Board of Commissioners of Cass County, Indiana (“Commissioners”) is the executive and legislative body for Cass County; and

WHEREAS, subject to the provisions of I.C. 36-2-13-5.6, the Commissioners may require the Cass County Sheriff to collect an annual sex or violent offender registration fee pursuant to I.C. § 11-8-8-7(a)(1-3) including (1) where the offender resides, (2) works or carries a vocation or (3) is enrolled on a full-time basis in any public or private educational institution in Cass County and a sex or violent offender address change fee; and

WHEREAS, the Commissioners desire to continue the previously established Cass County Sex or Violent Offender Administration Non-reverting Fund to fund the administration of the sex or violent offender registration system; and

WHEREAS, the Cass County Council as the fiscal body for Cass County desires to confirm and re-establish the amount of the registration fee and address change fee.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Cass County and the Cass County Council of Cass County, Indiana, that the sex or violent offender registration fee, sex or violent offender address change fee, and the Cass County Sex or Violent Offender Administration Non-reverting Fund are hereby confirmed and re-established, as follows:

Section 1. Establishment of Sex or Violent Offender Administration Non-reverting Fund

The Cass County Sex or Violent Offender Administration non-reverting fund has previously been established. The purpose of the fund is to assist in the payment of the expenses of administering or ensuring compliance with the laws concerning the Indiana Sex or Violent Offender Registry. The Cass County Council may appropriate money from the fund for this purpose. Said non-reverting fund may be used for capital or operational expenses.

Section 2. Fees

Registration Fee. The annual fee for sex and violent offenders registering in Cass County as required by I.C. § 11-8-8-1(a)(1-3) including (1) where the offender resides, (2) works or carries on a vocation or (3) is enrolled on a full-time basis in any public or private educational institution in Cass County shall be Fifty Dollars (\$50.00). Payment of the fee shall be made upon the offender’s initial registration in Cass County and subsequently on or before each annual registration date.

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

Section 3. Payment of Fees

All fees collected under this ordinance shall be collected by the Cass County Sheriff's Office when a sex or violent offender registers, and/or changes an address with the Cass County Sheriff's Department.

Section 4. Procedures

All fees collected under this Ordinance by the Cass County Sheriff's Department shall be transferred to the Cass County Auditor in a timely manner. On a monthly basis, the Cass County Auditor shall:

- a. Deposit ninety percent (90%) of any fees collected under this Ordinance in the Cass County Sex and Violent Offender Administration non-reverting fund; and,
- b. Transfer ten percent (10%) of any fees collected under this Ordinance to the State of Indiana for deposit in the State Sex and Violent Offender Administration Fund under I.C. § 11-8-8-21.

All of which this Ordinance is PASSED and ORDAINED this 20th day of August, 2021.

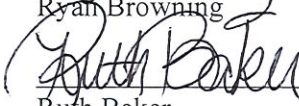
CASS COUNTY BOARD OF COMMISSIONERS:



Michael W. Stajduhar



Ryan Browning



Ruth Baker

Attest:



Cheryl Alcorn, County Auditor

CASS COUNTY COUNCIL:



Tracy Williamson



Dean Davenport



Bruce Idle



David Redweik



Grover Bishop



Damon Foreman



Brian Reed