

ORDINANCE NO. 2009-5

AN ORDER ESTABLISHING AN ANNUAL SEX OR  
VIOLENT OFFENDER REGISTRATION FEE, A  
SEX OR VIOLENT OFFENDER ADDRESS CHANGE  
FEE, AND ESTABLISHING THE GIBSON COUNTY  
SEX OR VIOLENT OFFENDER ADMINISTRATION FUND

WHEREAS, the Board of Commissioners of Gibson County, Indiana ("Commissioners") is the executive and legislative body for Gibson County;

WHEREAS, subject to the provisions of I.C. §36-2-13-5-6, the Commissioners may require the Gibson County Sheriff to collect an annual sex or violent offender registration fee and a sex or violent offender address change fee; and,

WHEREAS, the Commissioners desire to establish the Gibson County Sex or Violent Offender Administration Fund to fund the administration of the sex or violent offender registration system.

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

SECTION 1:            ESTABLISHMENT OF SEX OR VIOLENT OFFENDER  
ADMINISTRATION FUND

The Gibson County Sex or Violent Offender Administration fund is hereby established. The purpose of the fund is to defray the expense of administering or ensuring compliance with the laws concerning the Indiana Sex and Violent Offender Registry.

SECTION 2.            FEEES

- (a) REGISTRATION FEE. The annual fee for sex and violent offenders registering in Gibson County shall be Fifty Dollars (\$50.00). Payment of the fee shall be made upon the offender's initial registration in Gibson County and subsequently on or before each annual registration date.
- (b) 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 Gibson County Sheriff's Department.

SECTION 3.            PAYMENT OF FEES

All fees collected under this ordinance shall be collected by the Gibson County Sheriff's Department when a sex or violent offender registers with the Gibson County Sheriff's Department.

SECTION 4. PROCEDURES

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

- (a) Deposit ninety percent (90%) of any fees collected under this Ordinance in the Gibson County Sex and Violent Administration 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.

SECTION 5. ADMINISTRATION OF FUND

A county fiscal body shall appropriate money from the county sex offender registry fund to offset or defray any administrative costs that may occur while handling the state law regarding sex offenders.

SECTION 6. VIOLATIONS

Any sex and violent offenders who fail to pay their initial or annual fee to Gibson County shall be subject to civil proceedings in a Court of competent jurisdiction, including but not limited to Commissioners Court where they may be fined a maximum of One Hundred Dollars (\$100.00) plus court costs.

ALL OF WHICH IS PASSED AND ORDAINED THIS 3<sup>rd</sup> DAY OF November, 2009.

BOARD OF COMMISSIONERS OF GIBSON COUNTY, INDIANA

  
\_\_\_\_\_  
BOB TOWNSEND, PRESIDENT

  
\_\_\_\_\_  
DON WHITEHEAD, COMMISSIONER

  
\_\_\_\_\_  
GERALD BLELDSOE, COMMISSIONER

ATTEST: (SEAL)

  
\_\_\_\_\_  
MARY KEY, GIBSON COUNTY AUDITOR

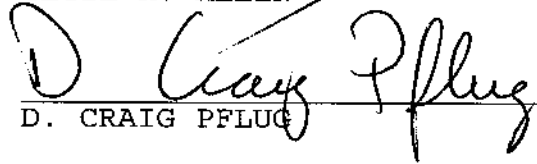
COUNTY COUNCIL OF GIBSON COUNTY, INDIANA

  
TONY WOLFE, PRESIDENT

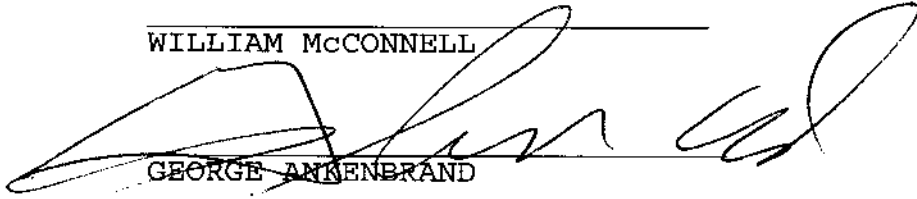
  
JEREMY OVERTON

  
WILLIAM GEORGE

  
CECIL R. ALLEN

  
D. CRAIG PFLUG

  
WILLIAM McCONNELL

  
GEORGE ANNENBRAND

Attest: Mary B. King, Auditor  
Nov. 10, 2009