

# ***Current Topics Affecting Municipal Governments***

## ***Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification, and Tracking Act of 2004***



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***Presented by:***

***Ralph Cross***  
***Finance Consultant***



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# T.C.A. 40-39-201

Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification, and Tracking Act of 2004



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# T.C.A. 40-39-201

Addresses the public's right to know about sexual offenders who:

- Are repeat offenders;
- Use physical violence;
- Prey on children;
- Present an extreme threat to the public safety.



# Definition of “Local Law Enforcement Agency” T.C.A. 40-39-202 (6):

- (A) Within the territory of a municipality, the municipal police department;
- (B) Within the territory of a county having a metropolitan form of government, the metropolitan police department; or
- (C) Within the unincorporated territory of a county, the sheriff’s department.



# Definition of “Offender”

T.C.A. 40-39-202 (9):

Means both “sexual offender,” “violent sexual offender” and “violent juvenile sexual offender” unless otherwise designated.

An offender who qualifies both as a “sexual offender” and a “violent sexual offender” or a “violent juvenile sexual offender” and a “violent sexual offender” is considered a “violent sexual offender”.

# Definition of “Primary Residence”

T.C.A. 40-39-202 (12):

A place where the person abides, lodges, or resides or establishes any other living accommodations in this state for five (5) consecutive days.



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# Definition of “Registering Agency”

T.C.A. 40-39-202 (14):

A sheriff’s office, **municipal police department**, metropolitan police department, campus law enforcement agency, the Tennessee department of correction (TDOC), a private contractor with the Tennessee department of correction (TDOC), or the board.



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# Registering Agency Fees

## T.C.A. 40-39-204 (b):

- Violent sexual offenders shall report in person to the designated law enforcement agency at least once during the months of March, June, September, and December.
- Once a year during the **March** reporting, violent sexual offenders will pay an administrative fee not to exceed **\$150.00**
  - \$100 shall be retained by the designated law enforcement agency to purchase equipment and defray expenses
  - \$50 submitted to TBI



# Registering Agency Fees

## T.C.A. 40-39-204 (c):

- Once a year violent sexual offenders shall report in person, no earlier than seven (7) calendar days before and later than seven (7) days after the offender's **date of birth**, to the designated law enforcement agency to update information and;
- Violent sexual offenders will pay the specified administrative costs not to exceed **\$150.00.**
  - \$100 shall be retained by the designated law enforcement agency to purchase equipment and defray expenses
  - \$50 submitted to TBI

