
HOUSE BILL No. 1910

DIGEST OF INTRODUCED BILL

Citations Affected: IC 33-19-7.

Synopsis: Distribution of court costs. Changes the distribution percentage for court costs paid by a city or town clerk or city or town fiscal officer. Provides that the city or town clerk retains 50% for the city or town. Provides that the city or town fiscal officer distributes 25% to the county auditor, and the city or town fiscal officer distributes 25% to the auditor of state. Changes the distribution of court costs paid by the clerk of the circuit court. Provides that the clerk distributes 5% to a city or town that maintains a law enforcement agency that prosecutes at least 50% of its ordinance violations in a circuit, superior, or county court. Provides that the circuit court clerk distributes 50% to the county auditor, and the circuit court clerk distributes 45% to the auditor of state.

Effective: July 1, 2001.

Stevenson

January 17, 2001, read first time and referred to Committee on Ways and Means.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

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HOUSE BILL No. 1910



A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 33-19-7-1 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. (a) The clerk of a
- 3 circuit court shall semiannually distribute to the auditor of state as the
- 4 state share for deposit in the state general fund ~~seventy forty-five~~
- 5 percent (~~70%~~) **(45%)** of the amount of fees collected under the
- 6 following:
- 7 (1) IC 33-19-5-1(a) (criminal costs fees).
- 8 (2) IC 33-19-5-2(a) (infraction or ordinance violation costs fees).
- 9 (3) IC 33-19-5-3(a) (juvenile costs fees).
- 10 (4) IC 33-19-5-4(a) (civil costs fees).
- 11 (5) IC 33-19-5-5(a) (small claims costs fees).
- 12 (6) IC 33-19-5-6(a) (probate costs fees).
- 13 (7) IC 33-19-6-16.2 (deferred prosecution fees).
- 14 (b) The clerk of a circuit court shall semiannually distribute to the
- 15 auditor of state for deposit in the state user fee fund established under
- 16 IC 33-19-9-2 the following:
- 17 (1) Twenty-five percent (25%) of the drug abuse, prosecution,



1 interdiction, and correction fees collected under
2 IC 33-19-5-1(b)(5).

3 (2) Twenty-five percent (25%) of the alcohol and drug
4 countermeasures fees collected under IC 33-19-5-1(b)(6),
5 IC 33-19-5-2(b)(4), and IC 33-19-5-3(b)(5).

6 (3) Fifty percent (50%) of the child abuse prevention fees
7 collected under IC 33-19-5-1(b)(7).

8 (4) One hundred percent (100%) of the domestic violence
9 prevention and treatment fees collected under IC 33-19-5-1(b)(8).

10 (5) One hundred percent (100%) of the highway work zone fees
11 collected under IC 33-19-5-1(b)(9) and IC 33-19-5-2(b)(5).

12 (6) One hundred percent (100%) of the safe schools fee collected
13 under IC 33-19-6-16.3.

14 (c) The clerk of a circuit court shall monthly distribute to the county
15 auditor the following:

16 (1) Seventy-five percent (75%) of the drug abuse, prosecution,
17 interdiction, and correction fees collected under
18 IC 33-19-5-1(b)(5).

19 (2) Seventy-five percent (75%) of the alcohol and drug
20 countermeasures fees collected under IC 33-19-5-1(b)(6),
21 IC 33-19-5-2(b)(4), and IC 33-19-5-3(b)(5).

22 The county auditor shall deposit fees distributed by a clerk under this
23 subsection into the county drug free community fund established under
24 IC 5-2-11.

25 (d) The clerk of a circuit court shall monthly distribute to the county
26 auditor fifty percent (50%) of the child abuse prevention fees collected
27 under IC 33-19-5-1(b)(8). The county auditor shall deposit fees
28 distributed by a clerk under this subsection into the county child
29 advocacy fund established under IC 12-17-17.

30 SECTION 2. IC 33-19-7-2 IS AMENDED TO READ AS
31 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. The clerk of a circuit
32 court shall forward the county share of fees collected to the county
33 auditor in accordance with IC 33-19-1-3(a). The auditor shall retain as
34 the county share ~~twenty-seven~~ **fifty percent (27%) (50%)** of the
35 amount of fees collected under the following:

36 (1) IC 33-19-5-1(a) (criminal costs fees).

37 (2) IC 33-19-5-2(a) (infraction or ordinance violation costs fees).

38 (3) IC 33-19-5-3(a) (juvenile costs fees).

39 (4) IC 33-19-5-4(a) (civil costs fees).

40 (5) IC 33-19-5-5(a) (small claims costs fees).

41 (6) IC 33-19-5-6(a) (probate costs fees).

42 (7) IC 33-19-6-16.2 (deferred prosecution fees).



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1 SECTION 3. IC 33-19-7-3, AS AMENDED BY P.L.98-2000,
 2 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2001]: Sec. 3. (a) The qualified municipality share to be
 4 distributed to each city and town maintaining a law enforcement
 5 agency that prosecutes at least fifty percent (50%) of its ordinance
 6 violations in a circuit, superior, or county court located in the county
 7 is ~~three five~~ percent (~~3%~~) (**5%**) of the amount of fees collected under
 8 the following:

- 9 (1) IC 33-19-5-1(a) (criminal costs fees).
 10 (2) IC 33-19-5-2(a) (infraction or ordinance violation costs fees).
 11 (3) IC 33-19-5-3(a) (juvenile costs fees).
 12 (4) IC 33-19-5-4(a) (civil costs fees).
 13 (5) IC 33-19-5-5(a) (small claims costs fees).
 14 (6) IC 33-19-5-6(a) (probate costs fees).
 15 (7) IC 33-19-6-16.2 (deferred prosecution fees).

16 (b) The county auditor shall determine the amount to be distributed to
 17 each city and town qualified under subsection (a) as follows:

18 STEP ONE: Determine the population of the qualified city or
 19 town.

20 STEP TWO: Add the populations of all qualified cities and towns
 21 determined under STEP ONE.

22 STEP THREE: Divide the population of each qualified city and
 23 town by the sum determined under STEP TWO.

24 STEP FOUR: Multiply the result determined under STEP THREE
 25 for each qualified city and town by the amount of the qualified
 26 municipality share.

27 (c) The county auditor shall semiannually distribute to each city and
 28 town described in subsection (a) the amount computed for that city or
 29 town under STEP FOUR of subsection (b).

30 SECTION 4. IC 33-19-7-4 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. (a) The clerk of a
 32 city or town court shall semiannually distribute to the auditor of state
 33 as the state share for deposit in the state general fund ~~fifty-five~~
 34 **twenty-five** percent (~~55%~~) (**25%**) of the amount of fees collected
 35 under the following:

- 36 (1) IC 33-19-5-1(a) (criminal costs fees).
 37 (2) IC 33-19-5-2(a) (infraction or ordinance violation costs fees).
 38 (3) IC 33-19-5-4(a) (civil costs fees).
 39 (4) IC 33-19-5-5 (small claims costs fees).
 40 (5) IC 33-19-6-16.2 (deferred prosecution fees).

41 (b) Once each month the city or town fiscal officer shall distribute
 42 to the county auditor as the county share ~~twenty~~ **twenty-five** percent

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- 1 ~~(20%)~~ **(25%)** of the amount of fees collected under the following:
- 2 (1) IC 33-19-5-1(a) (criminal costs fees).
- 3 (2) IC 33-19-5-2(a) (infraction or ordinance violation costs fees).
- 4 (3) IC 33-19-5-4(a) (civil costs fees).
- 5 (4) IC 33-19-5-5 (small claims costs fees).
- 6 (5) IC 33-19-6-16.2 (deferred prosecution fees).
- 7 (c) The city or town fiscal officer shall retain ~~twenty-five~~ **fifty**
- 8 percent ~~(25%)~~ **(50%)** as the city or town share of the fees collected
- 9 under the following:
- 10 (1) IC 33-19-5-1(a) (criminal costs fees).
- 11 (2) IC 33-19-5-2(a) (infraction or ordinance violation costs fees).
- 12 (3) IC 33-19-5-4(a) (civil costs fees).
- 13 (4) IC 33-19-5-5 (small claims costs fees).
- 14 (5) IC 33-19-6-16.2 (deferred prosecution fees).
- 15 (d) The clerk of a city or town court shall semiannually distribute to
- 16 the auditor of state for deposit in the state user fee fund established
- 17 under IC 33-19-9 the following:
- 18 (1) Twenty-five percent (25%) of the drug abuse, prosecution,
- 19 interdiction, and corrections fees collected under
- 20 IC 33-19-5-1(b)(5).
- 21 (2) Twenty-five percent (25%) of the alcohol and drug
- 22 countermeasures fees collected under IC 33-19-5-1(b)(6),
- 23 IC 33-19-5-2(b)(4), and IC 33-19-5-3(b)(5).
- 24 (3) One hundred percent (100%) of the highway work zone fees
- 25 collected under IC 33-19-5-1(b)(9) and IC 33-19-5-2(b)(5).
- 26 (4) One hundred percent (100%) of the safe schools fee collected
- 27 under IC 33-19-6-16.3.
- 28 (e) The clerk of a city or town court shall monthly distribute to the
- 29 county auditor the following:
- 30 (1) Seventy-five percent (75%) of the drug abuse, prosecution,
- 31 interdiction, and corrections fees collected under
- 32 IC 33-19-5-1(b)(5).
- 33 (2) Seventy-five percent (75%) of the alcohol and drug
- 34 countermeasures fees collected under IC 33-19-5-1(b)(6),
- 35 IC 33-19-5-2(b)(4), and IC 33-19-5-3(b)(5).
- 36 The county auditor shall deposit fees distributed by a clerk under this
- 37 subsection into the county drug free community fund established under
- 38 IC 5-2-11.

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