

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1777 be amended to read as follows:

- 1 Page 2, between lines 11 and 12, begin a new paragraph and insert:
- 2 "SECTION 2. IC 33-34-8-3 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) Payment for all
- 4 costs made as a result of proceedings in a small claims court shall be to
- 5 the _____ County Small Claims Court _____ Division (with the
- 6 name of the county and township inserted). The court shall issue a
- 7 receipt for all money received on a form numbered serially in duplicate.
- 8 All township docket fees and late fees received by the court shall be
- 9 paid to the township trustee at the close of each month.
- 10 (b) The court shall:
- 11 (1) semiannually distribute to the auditor of state:
- 12 (A) all automated record keeping fees received by the court;
- 13 and
- 14 (B) seventy-five percent (75%) of judicial salaries fees
- 15 collected by the court under IC 33-37-5-26;
- 16 for deposit in the state user fee fund established under IC 33-37-9;
- 17 and
- 18 (2) distribute monthly to the county auditor all document storage
- 19 fees received by the court. The county auditor shall deposit fees
- 20 distributed under this subdivision into the clerk's record
- 21 perpetuation fund under IC 33-37-5-2."
- 22 Page 8, between lines 11 and 12, begin a new line block indented
- 23 and insert:
- 24 " (4) A small claims action."
- 25 Page 8, line 12, delete "IC 33-37-1-1 or" and insert "IC 33-37-1-1,".

- 1 Page 8, line 13, delete "IC 33-34,".
- 2 Page 8, line 13, delete "nineteen" and insert "**twenty-two**".
- 3 Page 8, line 14, delete "(\$19)." and insert "**(\$22)**".
- 4 Page 8, line 15, after "(b)" insert "**In each small claims action filed**
- 5 **in a court described in IC 33-37-1-1 or IC 33-34, the clerk shall**
- 6 **collect a judicial salaries fee of fifteen (\$15) dollars.**
- 7 **(c)**".
- 8 Page 8, line 20, delete "nineteen" and insert "**twenty-two**".
- 9 Page 8, line 21, delete "(\$19)." and insert "**(\$22)**".
- 10 Page 12, line 23, delete "one hundred" and insert "**seventy-five**".
- 11 Page 12, line 23, delete "(100%)" and insert "**(75%)**".
- 12 Page 12, between lines 24 and 25, begin a new paragraph and insert:
- 13 "**(j) The city or town fiscal officer shall retain twenty-five**
- 14 **percent (25%) of the judicial salaries fee collected under**
- 15 **IC 33-37-5-26 as the city or town share.**".
- 16 Renumber all SECTIONS consecutively.
(Reference is to HB 1777 as printed February 15, 2005.)

Representative Foley