

Adopted Rejected

COMMITTEE REPORT

YES: 20
NO: 0

MR. SPEAKER:

*Your Committee on Ways and Means, to which was referred House Bill 1241, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Replace the effective date in SECTION 1 with "[EFFECTIVE
- 2 JANUARY 1, 2006]".
- 3 Page 1, between the enacting clause and line 1, begin a new
- 4 paragraph and insert:
- 5 "SECTION 1. IC 10-13-6-9.5 IS ADDED TO THE INDIANA
- 6 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 7 [EFFECTIVE JULY 1, 2005]: **Sec. 9.5. (a) The DNA sample**
- 8 **processing fund is established for the purpose of funding the**
- 9 **collection, shipment, analysis, and preservation of DNA samples**
- 10 **and the conduct of a DNA data base program under this chapter.**
- 11 **The fund shall be administered by the superintendent.**
- 12 **(b) The expenses of administering the fund shall be paid from**
- 13 **money in the fund.**
- 14 **(c) The treasurer of state shall invest the money in the fund not**

1 **currently needed to meet the obligations of the fund in the same**
 2 **manner as other public money may be invested.**

3 **(d) Money in the fund at the end of a state fiscal year does not**
 4 **revert to the state general fund."**

5 Page 2, after line 20, begin a new paragraph and insert:

6 "SECTION 3. IC 33-37-4-1, AS AMENDED BY P.L.85-2004,
 7 SECTION 16, AND AS AMENDED BY P.L.95-2004, SECTION 4,
 8 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) For each action that results in
 10 a felony conviction under IC 35-50-2 or a misdemeanor conviction
 11 under IC 35-50-3, the clerk shall collect from the defendant a criminal
 12 costs fee of one hundred twenty dollars (\$120).

13 (b) In addition to the criminal costs fee collected under this section,
 14 the clerk shall collect from the defendant the following fees if they are
 15 required under IC 33-37-5:

16 (1) A document fee (IC 33-37-5-1, IC 33-37-5-3, or
 17 IC 33-37-5-4).

18 (2) A marijuana eradication program fee (IC 33-37-5-7).

19 (3) An alcohol and drug services program user fee
 20 (IC 33-37-5-8(b)).

21 (4) A law enforcement continuing education program fee
 22 (IC 33-37-5-8(c)).

23 (5) A drug abuse, prosecution, interdiction, and correction fee
 24 (IC 33-37-5-9).

25 (6) An alcohol and drug countermeasures fee (IC 33-37-5-10).

26 (7) A child abuse prevention fee (IC 33-37-5-12).

27 (8) A domestic violence prevention and treatment fee
 28 (IC 33-37-5-13).

29 (9) A highway work zone fee (IC 33-37-5-14).

30 (10) A deferred prosecution fee (IC 33-37-5-17).

31 (11) A document storage fee (IC 33-37-5-20).

32 (12) An automated record keeping fee (IC 33-37-5-21).

33 (13) A late payment fee (IC 33-37-5-22).

34 (14) A sexual assault victims assistance fee (IC 33-37-5-23).

35 (15) *A judicial administration fee ~~under~~ (IC 33-37-5-21.2).*

36 ~~(15)~~ (16) *A judicial insurance adjustment fee ~~under~~*
 37 *(IC 33-37-5-25).*

38 **(17) A DNA sample processing fee (IC 33-37-5-26).**

1 (c) Instead of the criminal costs fee prescribed by this section, the
 2 clerk shall collect a pretrial diversion program fee if an agreement
 3 between the prosecuting attorney and the accused person entered into
 4 under IC 33-39-1-8 requires payment of those fees by the accused
 5 person. The pretrial diversion program fee is:

- 6 (1) an initial user's fee of fifty dollars (\$50); and
- 7 (2) a monthly user's fee of ten dollars (\$10) for each month that
- 8 the person remains in the pretrial diversion program.

9 (d) The clerk shall transfer to the county auditor or city or town
 10 fiscal officer the following fees, not later than thirty (30) days after the
 11 fees are collected:

- 12 (1) The pretrial diversion fee.
- 13 (2) The marijuana eradication program fee.
- 14 (3) The alcohol and drug services program user fee.
- 15 (4) The law enforcement continuing education program fee.

16 The auditor or fiscal officer shall deposit fees transferred under this
 17 subsection in the appropriate user fee fund established under
 18 IC 33-37-8.

19 (e) Unless otherwise directed by a court, if a clerk collects only part
 20 of a criminal costs fee from a defendant under this section, the clerk
 21 shall distribute the partial payment of the criminal costs fee as follows:

- 22 (1) The clerk shall apply the partial payment to general court
- 23 costs.
- 24 (2) If there is money remaining after the partial payment is applied
- 25 to general court costs under subdivision (1), the clerk shall
- 26 distribute the remainder of the partial payment for deposit in the
- 27 appropriate county user fee fund.
- 28 (3) If there is money remaining after distribution under
- 29 subdivision (2), the clerk shall distribute the remainder of the
- 30 partial payment for deposit in the state user fee fund.
- 31 (4) If there is money remaining after distribution under
- 32 subdivision (3), the clerk shall distribute the remainder of the
- 33 partial payment to any other applicable user fee fund.
- 34 (5) If there is money remaining after distribution under
- 35 subdivision (4), the clerk shall apply the remainder of the partial
- 36 payment to any outstanding fines owed by the defendant.

37 SECTION 4. IC 33-37-4-2, AS AMENDED BY P.L.85-2004,
 38 SECTION 17, AND AS AMENDED BY P.L.95-2004, SECTION 5,

- 1 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) Except as provided in
 3 subsections (d) and (e), for each action that results in a judgment:
 4 (1) for a violation constituting an infraction; or
 5 (2) for a violation of an ordinance of a municipal corporation (as
 6 defined in IC 36-1-2-10);
 7 the clerk shall collect from the defendant an infraction or ordinance
 8 violation costs fee of seventy dollars (\$70).
 9 (b) In addition to the infraction or ordinance violation costs fee
 10 collected under this section, the clerk shall collect from the defendant
 11 the following fees, if they are required under IC 33-37-5:
 12 (1) A document fee (IC 33-37-5-1, IC 33-37-5-3, or
 13 IC 33-37-5-4).
 14 (2) An alcohol and drug services program user fee
 15 (IC 33-37-5-8(b)).
 16 (3) A law enforcement continuing education program fee
 17 (IC 33-37-5-8(c)).
 18 (4) An alcohol and drug countermeasures fee (IC 33-37-5-10).
 19 (5) A highway work zone fee (IC 33-37-5-14).
 20 (6) A deferred prosecution fee (IC 33-37-5-17).
 21 (7) A jury fee (~~IC 33-19-6-17~~): (IC 33-37-5-19).
 22 (8) A document storage fee (IC 33-37-5-20).
 23 (9) An automated record keeping fee (IC 33-37-5-21).
 24 (10) A late payment fee (IC 33-37-5-22).
 25 (11) A judicial administration fee ~~under~~ (IC 33-37-5-21.2).
 26 ~~(12)~~ (12) A judicial insurance adjustment fee ~~under~~
 27 (IC 33-37-5-25).
 28 **(13) A DNA sample processing fee (IC 33-37-5-26).**
 29 (c) The clerk shall transfer to the county auditor or fiscal officer of
 30 the municipal corporation the following fees, not later than thirty (30)
 31 days after the fees are collected:
 32 (1) The alcohol and drug services program user fee
 33 (IC 33-37-5-8(b)).
 34 (2) The law enforcement continuing education program fee
 35 (IC 33-37-5-8(c)).
 36 (3) The deferral program fee (subsection (e)).
 37 The auditor or fiscal officer shall deposit the fees in the user fee fund
 38 established under IC 33-37-8.

1 (d) The defendant is not liable for any ordinance violation costs fee
2 in an action if all the following apply:

3 (1) The defendant was charged with an ordinance violation subject
4 to IC 33-36.

5 (2) The defendant denied the violation under IC 33-36-3.

6 (3) Proceedings in court against the defendant were initiated under
7 IC 34-28-5 (or IC 34-4-32 before its repeal).

8 (4) The defendant was tried and the court entered judgment for the
9 defendant for the violation.

10 (e) Instead of the infraction or ordinance violation costs fee
11 prescribed by subsection (a), the clerk shall collect a deferral program
12 fee if an agreement between a prosecuting attorney or an attorney for
13 a municipal corporation and the person charged with a violation entered
14 into under IC 34-28-5-1 (or IC 34-4-32-1 before its repeal) requires
15 payment of those fees by the person charged with the violation. The
16 deferral program fee is:

17 (1) an initial user's fee not to exceed fifty-two dollars (\$52); and

18 (2) a monthly user's fee not to exceed ten dollars (\$10) for each
19 month the person remains in the deferral program.

20 (f) The fees prescribed by this section are costs for purposes of
21 ~~IC 34-28-5-4~~ **IC 34-28-5-5** and may be collected from a defendant
22 against whom judgment is entered. Any penalty assessed is in addition
23 to costs.

24 SECTION 5. IC 33-37-4-3, AS AMENDED BY P.L.85-2004,
25 SECTION 18, AND AS AMENDED BY P.L.95-2004, SECTION 6,
26 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
27 [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) The clerk shall collect a
28 juvenile costs fee of one hundred twenty dollars (\$120) for each action
29 filed under any of the following:

30 (1) IC 31-34 (children in need of services).

31 (2) IC 31-37 (delinquent children).

32 (3) IC 31-14 (paternity).

33 (b) In addition to the juvenile costs fee collected under this section,
34 the clerk shall collect the following fees, if they are required under
35 IC 33-37-5:

36 (1) A document fee (IC 33-37-5-1, IC 33-37-5-3, or
37 IC 33-37-5-4).

38 (2) A marijuana eradication program fee (IC 33-37-5-7).

- 1 (3) An alcohol and drug services program user fee
 2 (IC 33-37-5-8(b)).
 3 (4) A law enforcement continuing education program fee
 4 (IC 33-37-5-8(c)).
 5 (5) An alcohol and drug countermeasures fee (IC 33-37-5-10).
 6 (6) A document storage fee (IC 33-37-5-20).
 7 (7) An automated record keeping fee (IC 33-37-5-21).
 8 (8) A late payment fee (IC 33-37-5-22).
 9 (9) *A judicial administration fee ~~under~~ (IC 33-37-5-21.2).*
 10 ~~(9)~~ (10) *A judicial insurance adjustment fee ~~under~~*
 11 *(IC 33-37-5-25).*
 12 **(11) A DNA sample processing fee (IC 33-37-5-26).**

13 (c) The clerk shall transfer to the county auditor or city or town
 14 fiscal officer the following fees not later than thirty (30) days after they
 15 are collected:

- 16 (1) The marijuana eradication program fee (IC 33-37-5-7).
 17 (2) The alcohol and drug services program user fee
 18 (IC 33-37-5-8(b)).
 19 (3) The law enforcement continuing education program fee
 20 (IC 33-37-5-8(c)).

21 The auditor or fiscal officer shall deposit the fees in the appropriate user
 22 fee fund established under IC 33-37-8.

23 SECTION 6. IC 33-37-5-26 IS ADDED TO THE INDIANA CODE
 24 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2005]: **Sec. 26. In each action in which a person is:**

- 26 **(1) convicted of an offense;**
 27 **(2) required to pay a pretrial diversion fee;**
 28 **(3) found to have committed an infraction; or**
 29 **(4) found to have violated an ordinance;**

30 **the clerk shall collect a DNA sample processing fee of one dollar**
 31 **(\$1).**

32 SECTION 7. IC 33-37-7-2, AS AMENDED BY P.L.85-2004,
 33 SECTION 25, AND AS AMENDED BY P.L.95-2004, SECTION 13,
 34 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 35 [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) The clerk of a circuit court
 36 shall distribute semiannually to the auditor of state as the state share for
 37 deposit in the state general fund seventy percent (70%) of the amount
 38 of fees collected under the following:

- 1 (1) IC 33-37-4-1(a) (criminal costs fees).
- 2 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).
- 3 (3) IC 33-37-4-3(a) (juvenile costs fees).
- 4 (4) IC 33-37-4-4(a) (civil costs fees).
- 5 (5) IC 33-37-4-6(a)(1) (small claims costs fees).
- 6 (6) IC 33-37-4-7(a) (probate costs fees).
- 7 (7) IC 33-37-5-17 (deferred prosecution fees).
- 8 (b) The clerk of a circuit court shall distribute semiannually to the
- 9 auditor of state for deposit in the state user fee fund established in
- 10 IC 33-37-9-2 the following:
- 11 (1) Twenty-five percent (25%) of the drug abuse, prosecution,
- 12 interdiction, and correction fees collected under
- 13 IC 33-37-4-1(b)(5).
- 14 (2) Twenty-five percent (25%) of the alcohol and drug
- 15 countermeasures fees collected under IC 33-37-4-1(b)(6),
- 16 IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).
- 17 (3) Fifty percent (50%) of the child abuse prevention fees
- 18 collected under IC 33-37-4-1(b)(7).
- 19 (4) One hundred percent (100%) of the domestic violence
- 20 prevention and treatment fees collected under IC 33-37-4-1(b)(8).
- 21 (5) One hundred percent (100%) of the highway work zone fees
- 22 collected under IC 33-37-4-1(b)(9) and IC 33-37-4-2(b)(5).
- 23 (6) One hundred percent (100%) of the safe schools fee collected
- 24 under IC 33-37-5-18.
- 25 (7) One hundred percent (100%) of the automated record keeping
- 26 fee (IC 33-37-5-21).
- 27 (c) The clerk of a circuit court shall distribute monthly to the county
- 28 auditor the following:
- 29 (1) Seventy-five percent (75%) of the drug abuse, prosecution,
- 30 interdiction, and correction fees collected under
- 31 IC 33-37-4-1(b)(5).
- 32 (2) Seventy-five percent (75%) of the alcohol and drug
- 33 countermeasures fees collected under IC 33-37-4-1(b)(6),
- 34 IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).
- 35 The county auditor shall deposit fees distributed by a clerk under this
- 36 subsection into the county drug free community fund established under
- 37 IC 5-2-11.
- 38 (d) The clerk of a circuit court shall distribute monthly to the county

1 auditor fifty percent (50%) of the child abuse prevention fees collected
2 under IC 33-37-4-1(b)(7). The county auditor shall deposit fees
3 distributed by a clerk under this subsection into the county child
4 advocacy fund established under IC 12-17-17.

5 (e) The clerk of a circuit court shall distribute monthly to the county
6 auditor one hundred percent (100%) of the late payment fees collected
7 under IC 33-37-5-22. The county auditor shall deposit fees distributed
8 by a clerk under this subsection as follows:

9 (1) If directed to do so by an ordinance adopted by the county
10 fiscal body, the county auditor shall deposit forty percent (40%)
11 of the fees in the clerk's record perpetuation fund established
12 under IC 33-37-5-2 and sixty percent (60%) of the fees in the
13 county general fund.

14 (2) If the county fiscal body has not adopted an ordinance
15 described in subdivision (1), the county auditor shall deposit all
16 the fees in the county general fund.

17 (f) The clerk of the circuit court shall distribute semiannually to the
18 auditor of state for deposit in the sexual assault victims assistance fund
19 established by IC 16-19-13-6 one hundred percent (100%) of the sexual
20 assault victims assistance fees collected under IC 33-37-5-23.

21 (g) The clerk of a circuit court shall distribute monthly to the county
22 auditor the following:

23 (1) One hundred percent (100%) of the support and maintenance
24 fees for cases designated as non-Title IV-D child support cases in
25 the Indiana support enforcement tracking system (ISETS)
26 collected under IC 33-37-5-6.

27 (2) The percentage share of the support and maintenance fees for
28 cases designated as IV-D child support cases in ISETS collected
29 under IC 33-37-5-6 that is reimbursable to the county at the
30 federal financial participation rate.

31 The county clerk shall distribute monthly to the office of the secretary
32 of family and social services the percentage share of the support and
33 maintenance fees for cases designated as Title IV-D child support cases
34 in ISETS collected under IC 33-37-5-6 that is not reimbursable to the
35 county at the applicable federal financial participation rate.

36 (h) The clerk of a circuit court shall distribute monthly to the county
37 auditor one hundred percent (100%) of the small claims service fee
38 under IC 33-37-4-6(a)(2) for deposit in the county general fund.

1 (i) *The clerk of a circuit court shall semiannually distribute to the*
 2 *auditor of state for deposit in the state general fund one hundred*
 3 *percent (100%) of the judicial administration fee collected under*
 4 *IC 33-37-5-21.2.*

5 ~~(j)~~ **(j)** *The clerk of a circuit court shall semiannually distribute to the*
 6 *auditor of state for deposit in the judicial branch insurance adjustment*
 7 *account established by IC 33-38-5-8.2 one hundred percent (100%) of*
 8 *the judicial insurance adjustment fee collected under IC 33-37-5-25.*

9 (j) ~~This section applies after June 30, 2005.~~

10 **(k) The clerk of a circuit court shall semiannually distribute to**
 11 **the auditor of state for deposit in the state general fund one**
 12 **hundred percent (100%) of the DNA sample processing fee**
 13 **collected under IC 33-37-5-26.**

14 SECTION 8. IC 33-37-7-8, AS AMENDED BY P.L.85-2004,
 15 SECTION 27, AND AS AMENDED BY P.L.95-2004, SECTION 15,
 16 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2005]: Sec. 8. (a) The clerk of a city or town
 18 court shall distribute semiannually to the auditor of state as the state
 19 share for deposit in the state general fund fifty-five percent (55%) of the
 20 amount of fees collected under the following:

21 (1) IC 33-37-4-1(a) (criminal costs fees).

22 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).

23 (3) IC 33-37-4-4(a) (civil costs fees).

24 (4) IC 33-37-4-6(a)(1) (small claims costs fees).

25 (5) IC 33-37-5-17 (deferred prosecution fees).

26 (b) The city or town fiscal officer shall distribute monthly to the
 27 county auditor as the county share twenty percent (20%) of the amount
 28 of fees collected under the following:

29 (1) IC 33-37-4-1(a) (criminal costs fees).

30 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).

31 (3) IC 33-37-4-4(a) (civil costs fees).

32 (4) IC 33-37-4-6(a)(1) (small claims costs fees).

33 (5) IC 33-37-5-17 (deferred prosecution fees).

34 (c) The city or town fiscal officer shall retain twenty-five percent
 35 (25%) as the city or town share of the fees collected under the
 36 following:

37 (1) IC 33-37-4-1(a) (criminal costs fees).

38 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).

1 (3) IC 33-37-4-4(a) (civil costs fees).

2 (4) IC 33-37-4-6(a)(1) (small claims costs fees).

3 (5) IC 33-37-5-17 (deferred prosecution fees).

4 (d) The clerk of a city or town court shall distribute semiannually to
5 the auditor of state for deposit in the state user fee fund established in
6 IC 33-37-9 the following:

7 (1) Twenty-five percent (25%) of the drug abuse, prosecution,
8 interdiction, and corrections fees collected under
9 IC 33-37-4-1(b)(5).

10 (2) Twenty-five percent (25%) of the alcohol and drug
11 countermeasures fees collected under IC 33-37-4-1(b)(6),
12 IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).

13 (3) One hundred percent (100%) of the highway work zone fees
14 collected under IC 33-37-4-1(b)(9) and IC 33-37-4-2(b)(5).

15 (4) One hundred percent (100%) of the safe schools fee collected
16 under IC 33-37-5-18.

17 (5) One hundred percent (100%) of the automated record keeping
18 fee (IC 33-37-5-21).

19 (e) The clerk of a city or town court shall distribute monthly to the
20 county auditor the following:

21 (1) Seventy-five percent (75%) of the drug abuse, prosecution,
22 interdiction, and corrections fees collected under
23 IC 33-37-4-1(b)(5).

24 (2) Seventy-five percent (75%) of the alcohol and drug
25 countermeasures fees collected under IC 33-37-4-1(b)(6),
26 IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).

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

30 (f) The clerk of a city or town court shall distribute monthly to the
31 city or town fiscal officer (as defined in IC 36-1-2-7) one hundred
32 percent (100%) of the late payment fees collected under IC 33-37-5-22.
33 The city or town fiscal officer (as defined in IC 36-1-2-7) shall deposit
34 fees distributed by a clerk under this subsection in the city or town
35 general fund.

36 (g) *The clerk of a city or town court shall semiannually distribute to*
37 *the auditor of state for deposit in the state general fund one hundred*
38 *percent (100%) of the judicial administration fee collected under*

1 IC 33-37-5-21.2.

2 ~~(g)~~ **(h)** *The clerk of a city or town court shall semiannually*
 3 *distribute to the auditor of state for deposit in the judicial branch*
 4 *insurance adjustment account established by IC 33-38-5-8.2 one*
 5 *hundred percent (100%) of the judicial insurance adjustment fee*
 6 *collected under IC 33-37-5-25.*

7 ~~(h)~~ **This section applies after June 30, 2005.**

8 **(i) The clerk of a city or town court shall semiannually distribute**
 9 **to the auditor of state for deposit in the state general fund one**
 10 **hundred percent (100%) of the DNA sample processing fee**
 11 **collected under IC 33-37-5-26.**

12 SECTION 9. IC 33-37-7-9 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 9. (a) On June 30 and
 14 on December 31 of each year, the auditor of state shall transfer to the
 15 treasurer of state ~~six seven million seven hundred four thirty-nine~~
 16 ~~thousand two hundred fifty-seven dollars (\$6,704,257)~~ **(\$7,039,257)** for
 17 distribution under subsection (b).

18 (b) On June 30 and on December 31 of each year the treasurer of
 19 state shall deposit into:

20 (1) the family violence and victim assistance fund established by
 21 IC 12-18-5-2 an amount equal to ~~eleven ten and eight-hundredths~~
 22 ~~fifty-six hundredths percent (11.08%);~~ **(10.56%);**

23 (2) the Indiana judges' retirement fund established by
 24 IC 33-38-6-12 an amount equal to ~~twenty-five twenty-four and~~
 25 ~~twenty-one two hundredths percent (25.21%);~~ **(24.02%);**

26 (3) the law enforcement academy building fund established by
 27 IC 5-2-1-13 an amount equal to three and ~~fifty-two thirty-six~~
 28 ~~hundredths percent (3.52%);~~ **(3.36%);**

29 (4) the law enforcement training fund established by IC 5-2-1-13
 30 an amount equal to ~~fourteen thirteen and nineteen-hundredths~~
 31 ~~fifty-two hundredths percent (14.19%);~~ **(13.52%);**

32 (5) the violent crime victims compensation fund established by
 33 IC 5-2-6.1-40 an amount equal to ~~sixteen fifteen and~~
 34 ~~fifty-hundredths seventy-two hundredths percent (16.50%);~~
 35 **(15.72%);**

36 (6) the motor vehicle highway account an amount equal to
 37 ~~twenty-six twenty-five and ninety-five sixty-seven hundredths~~
 38 ~~percent (26.95%);~~ **(25.67%);**

- 1 (7) the fish and wildlife fund established by IC 14-22-3-2 an
 2 amount equal to ~~thirty-two hundredths~~ **thirty-one hundredths** of
 3 one percent (~~0.32%~~); **(0.31%)**; and
 4 (8) the Indiana judicial center drug and alcohol programs fund
 5 established by IC 12-23-14-17 for the administration, certification,
 6 and support of alcohol and drug services programs under
 7 IC 12-23-14 an amount equal to two and ~~twenty-three~~ **thirteen**
 8 hundredths percent (~~2.23%~~); **(2.13%)**; and
 9 **(9) the DNA sample processing fund established under**
 10 **IC 10-13-6-9.5 for the funding of the collection, shipment,**
 11 **analysis, and preservation of DNA samples and the conduct of**
 12 **a DNA data base program under IC 10-13-6 an amount equal**
 13 **to four and seventy-one hundredths percent (4.71%);**
 14 of the amount transferred by the auditor of state under subsection (a).
 15 (c) On June 30 and on December 31 of each year, the auditor of state
 16 shall transfer to the treasurer of state for deposit into the public defense
 17 fund established under IC 33-40-6-1:
 18 (1) after June 30, 2004, and before July 1, 2005, one million seven
 19 hundred thousand dollars (\$1,700,000); and

- 1 (2) after June 30, 2005, two million two hundred thousand dollars
- 2 (\$2,200,000).".
- 3 Renumber all SECTIONS consecutively.
(Reference is to HB 1241 as printed January 14, 2005.)

and when so amended that said bill do pass.

Representative Espich