

Adopted Rejected

COMMITTEE REPORT

YES: 11
NO: 1

MR. SPEAKER:

*Your Committee on Judiciary, to which was referred House Bill 1777, 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 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 33-34-8-1, AS AMENDED BY P.L.85-2004,
- 4 SECTION 15, AND AS AMENDED BY P.L.95-2004, SECTION 3,
- 5 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
- 6 [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) The following fees and costs
- 7 apply to cases in the small claims court:
- 8 (1) A township docket fee of five dollars (\$5) plus forty-five
- 9 percent (45%) of the infraction or ordinance violation costs fee
- 10 under IC 33-37-4-2.
- 11 (2) The bailiff's service of process by registered or certified mail
- 12 fee of thirteen dollars (\$13) for each service.
- 13 (3) The cost for the personal service of process by the bailiff or
- 14 other process server of thirteen dollars (\$13) for each service.
- 15 (4) Witness fees, if any, in the amount provided by IC 33-37-10-3

- 1 to be taxed and charged in the circuit court.
- 2 (5) A redocketing fee, if any, of five dollars (\$5).
- 3 (6) A document storage fee under IC 33-37-5-20.
- 4 (7) An automated record keeping fee under IC 33-37-5-21.
- 5 (8) A late fee, if any, under IC 33-37-5-22.
- 6 (9) *A judicial administration fee under IC 33-37-5-21.2.*
- 7 ~~(9)~~ **(10) *A judicial insurance adjustment fee under IC 33-37-5-25.***
- 8 **(11) A judicial salaries fee under IC 33-37-5-26.**
- 9 The docket fee and the cost for the initial service of process shall be
- 10 paid at the institution of a case. The cost of service after the initial
- 11 service shall be assessed and paid after service has been made. The cost
- 12 of witness fees shall be paid before the witnesses are called.
- 13 (b) If the amount of the township docket fee computed under
- 14 subsection (a)(1) is not equal to a whole number, the amount shall be
- 15 rounded to the next highest whole number."
- 16 Page 7, line 26, delete "IC 33-37-1-1," and insert "**IC 33-37-1-1 or**
- 17 **IC 33-34,**".
- 18 Renumber all SECTIONS consecutively.
(Reference is to HB 1777 as introduced.)

and when so amended that said bill do pass.

Representative Thomas