

SENATE BILL No. 239

DIGEST OF INTRODUCED BILL

Citations Affected: IC 33-34-8-3.

Synopsis: Marion County small claims courts. Increases the amount to be distributed to a township trustee from certain fees that are collected in a Marion County small claims case. Makes conforming changes.

Effective: July 1, 2024.

Freeman

January 10, 2024, read first time and referred to Committee on Tax and Fiscal Policy.



Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

SENATE BILL No. 239



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 33-34-8-3, AS AMENDED BY THE TECHNICAL
2 CORRECTIONS BILL OF THE 2024 GENERAL ASSEMBLY, IS
3 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]:
4 Sec. 3. (a) Payment for all costs made as a result of proceedings in a
5 small claims court shall be to the _____ Township of Marion County
6 Small Claims Court (with the name of the township inserted). The court
7 shall issue a receipt for all money received on a form numbered serially
8 in duplicate.

9 (b) This subsection applies only to a low caseload court (as defined
10 in section 5 of this chapter). All township docket fees and late fees
11 received by the court shall be paid to the township trustee at the close
12 of each month.

13 (c) This subsection does not apply to a low caseload court. This
14 subsection applies to all other township small claims courts in Marion
15 County. One dollar and fifty cents (\$1.50) of the township docket fee
16 shall be paid to the township trustee of each low caseload court at the
17 end of each month. The remaining township docket fees and late fees



1 received by the court shall be paid to the township trustee at the close
2 of each month.

3 (d) The court shall:

4 (1) semiannually distribute to the ~~auditor~~ of state **comptroller**:

5 (A) all automated record keeping fees (IC 33-37-5-21)
6 received by the court for deposit in the homeowner protection
7 unit account established by IC 4-6-12-9 and the state user fee
8 fund established under IC 33-37-9;

9 (B) all public defense administration fees collected by the
10 court under IC 33-37-5-21.2 for deposit in the state general
11 fund;

12 (C) ~~sixty~~ **fifty** percent (~~60%~~) (**50%**) of all court administration
13 fees collected by the court under IC 33-37-5-27 for deposit in
14 the state general fund;

15 (D) all judicial insurance adjustment fees collected by the
16 court under IC 33-37-5-25 for deposit in the state general fund;

17 (E) ~~seventy-five~~ **fifty** percent (~~75%~~) (**50%**) of all judicial
18 salaries fees collected by the court under IC 33-37-5-26 for
19 deposit in the state general fund; and

20 (F) one hundred percent (100%) of the pro bono legal services
21 fees collected before July 1, 2025, by the court under
22 IC 33-37-5-31 for deposit in the pro bono legal services fund
23 established by IC 33-37-5-34; and

24 (2) distribute monthly to the county auditor ~~at~~ **fifty percent**
25 (**50%**) of the document storage fees received by the court. **The**
26 **remaining fifty percent (50%) of the document storage fees**
27 **shall be deposited monthly in the township general fund of the**
28 **township in which the court is located.**

29 The remaining ~~twenty-five~~ **fifty** percent (~~25%~~) (**50%**) of the judicial
30 salaries fees described in subdivision (1)(E) shall be deposited monthly
31 in the township general fund of the township in which the court is
32 located. The county auditor shall deposit fees distributed under
33 subdivision (2) into the clerk's record perpetuation fund under
34 IC 33-37-5-2.

35 (e) The court semiannually shall pay to the township trustee of the
36 township in which the court is located the remaining ~~forty~~ **fifty** percent
37 (~~40%~~) (**50%**) of the court administration fees described under
38 subsection (d)(1)(C) to fund the operations of the small claims court in
39 the trustee's township.

