

February 20, 1998

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# ENGROSSED HOUSE BILL No. 1226

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DIGEST OF HB 1226 (Updated February 18, 1998 3:15 pm - DI 87)

**Citations Affected:** IC 33-6; IC 33-19.

**Synopsis:** Court fees for highway work zones. Adds ordinance violations to the types of traffic violations for which a highway work zone fee is collected by the court clerk. Provides that a violations bureau of a municipality may accept payment of civil penalties of not more than \$100. (Current law provides that a violations bureau of a municipality may accept payment of civil penalties of not more than \$50.)

**Effective:** July 1, 1998.

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**Richardson**

(SENATE SPONSOR — LAWSON)

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January 13, 1998, read first time and referred to Committee on Roads and Transportation.  
January 27, 1998, reported — Do Pass.  
February 2, 1998, read second time, ordered engrossed. Engrossed.  
February 3, 1998, read third time, passed. Yeas 95, nays 0.

SENATE ACTION

February 9, 1998, read first time and referred to Committee on Governmental and Regulatory Affairs.  
February 19, 1998, amended, reported favorably — Do Pass.

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EH 1226—LS 6184/DI 41+



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February 20, 1998

Second Regular Session 110th General Assembly (1998)

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 1997 General Assembly.

## ENGROSSED HOUSE BILL No. 1226

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 33-6-3-1 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 1998]: Sec. 1. (a) The definitions in IC 36-1-2  
3 apply throughout this chapter.  
4 (b) The legislative body of a municipal corporation may establish,  
5 by ordinance or code, an ordinance violations bureau. Upon the  
6 creation of a bureau, the legislative body shall provide for the  
7 appointment of a violations clerk (who may be the clerk or  
8 clerk-treasurer of the municipal corporation) to be the administrator of  
9 the bureau.  
10 (c) If the legislative body does not establish an ordinance violations  
11 bureau under subsection (b), the clerk or clerk-treasurer of the  
12 municipal corporation is designated the violations clerk for purposes  
13 of this chapter.  
14 (d) The violations clerk may accept written appearances, waivers of  
15 trial, admissions of violations, and payment of civil penalties of not  
16 more than ~~fifty~~ **one hundred** dollars ~~(\$50)~~ (**\$100**) in ordinance

EH 1226—LS 6184/DI 41+



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1 violation cases, subject to the schedule prescribed under section 2 of  
2 this chapter by the legislative body.  
3 SECTION 2. IC 33-19-6-14 IS AMENDED TO READ AS  
4 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 14. (a) This section  
5 applies to criminal, ~~and~~ infraction, **and ordinance violation** actions  
6 that are traffic offenses (as defined in IC 9-30-3-5).  
7 (b) The clerk shall collect a highway work zone fee of fifty cents  
8 (\$0.50). However, if the criminal action, ~~or~~ infraction, **or ordinance**  
9 **violation** is exceeding a worksite speed limit (as provided in  
10 IC 9-21-5-11) and the judge orders the clerk to collect the fee for  
11 exceeding a worksite speed limit, the clerk shall collect a highway  
12 work zone fee of twenty-five dollars and fifty cents (\$25.50).

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1226, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

COOK, Chair

Committee Vote: yeas 13, nays 1.

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## COMMITTEE REPORT

Mr. President: The Senate Committee on Governmental and Regulatory Affairs, to which was referred House Bill 1226, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 33-6-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 1. (a) The definitions in IC 36-1-2 apply throughout this chapter.

(b) The legislative body of a municipal corporation may establish, by ordinance or code, an ordinance violations bureau. Upon the creation of a bureau, the legislative body shall provide for the appointment of a violations clerk (who may be the clerk or clerk-treasurer of the municipal corporation) to be the administrator of the bureau.

(c) If the legislative body does not establish an ordinance violations bureau under subsection (b), the clerk or clerk-treasurer of the municipal corporation is designated the violations clerk for purposes of this chapter.

(d) The violations clerk may accept written appearances, waivers of trial, admissions of violations, and payment of civil penalties of not more than **fifty one hundred** dollars ~~(\$50)~~ **(\$100)** in ordinance violation cases, subject to the schedule prescribed under section 2 of this chapter by the legislative body."

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to House Bill 1226 as printed January 28, 1998.)

GARD, Chairperson

Committee Vote: Yeas 9, Nays 0.

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