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# ENGROSSED HOUSE BILL No. 1226

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DIGEST OF HB 1226 (Updated February 23, 1998 9:42 pm - DI 44)

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

**Synopsis:** Court fees. 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.) Allows a court to collect an alcohol and drug countermeasures fee when a person operates a vehicle while intoxicated and the person's driving privileges are suspended.

**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.  
February 23, 1998, read second time, amended, ordered engrossed.

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HEA 1226—Concur+



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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.

## HOUSE ENROLLED ACT No. 1226

AN ACT to amend the Indiana Code concerning courts and court officers.

*Be it enacted by the General Assembly of the State of Indiana:*

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~~ **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.

SECTION 2. IC 33-19-6-10 IS AMENDED TO READ AS FOLLOWS: Sec. 10. In each action in which a person is found to have:

**HEA 1226—Concur+**



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- (1) committed an offense under IC 9-30-5;
- (2) violated a statute defining an infraction under IC 9-30-5; or
- (3) been adjudicated a delinquent for an act that would be an offense under IC 9-30-5, if committed by an adult;

and the person's driving privileges are suspended by the court **or the bureau of motor vehicles** as a result of the finding, the clerk shall collect an alcohol and drug countermeasures fee of two hundred dollars (\$200).

SECTION 3. IC 33-19-6-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 14. (a) This section applies to criminal, ~~and~~ infraction, **and ordinance violation** actions that are traffic offenses (as defined in IC 9-30-3-5).

(b) The clerk shall collect a highway work zone fee of fifty cents (\$0.50). However, if the criminal action, ~~or~~ infraction, **or ordinance violation** is exceeding a worksite speed limit (as provided in IC 9-21-5-11) and the judge orders the clerk to collect the fee for exceeding a worksite speed limit, the clerk shall collect a highway work zone fee of twenty-five dollars and fifty cents (\$25.50).

SECTION 4. [EFFECTIVE July 1, 1998] **IC 33-19-6-10, as amended by this act, applies to findings under IC 9-30-5 made after June 30, 1998, regardless of when the action was filed.**

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