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# HOUSE BILL No. 1409

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 33-11.6-4-15; IC 33-19; IC 36-2-13-5.

**Synopsis:** Courthouse security. Provides for the: (1) collection of a courthouse security fee; and (2) establishment of a courthouse security fund; by local ordinance. Provides that the county sheriff shall administer the fund and expend amounts in conformance with the courthouse security minimum standards adopted by the Indiana judicial center.

**Effective:** July 1, 2004; July 1, 2005.

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### Alderman

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January 20, 2004, read first time and referred to Committee on Courts and Criminal Code.

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Second Regular Session 113th General Assembly (2004)

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 2003 Regular Session of the General Assembly.

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# HOUSE BILL No. 1409



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 33-11.6-4-15, AS AMENDED BY P.L.141-2002,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2004]: Sec. 15. (a) The costs consist of:  
4 (1) a township docket fee equal to five dollars (\$5) plus forty-five  
5 percent (45%) of the infraction or ordinance violation costs fee  
6 under IC 33-19-5-2;  
7 (2) bailiff's service of process by registered or certified mail fee  
8 of thirteen dollars (\$13) for each service;  
9 (3) the cost for the personal service of process by the bailiff or  
10 other process server in the amount of thirteen dollars (\$13) for  
11 each service;  
12 (4) witness fees, if any, in the amount provided by IC 33-19-1-6  
13 to be taxed and charged in the circuit court of the county;  
14 (5) a redocketing fee, if any, of five dollars (\$5);  
15 (6) a document storage fee under IC 33-19-6-18.1;  
16 (7) an automated record keeping fee under IC 33-19-6-19; ~~and~~  
17 (8) a late fee, if any, under IC 33-19-6-20; **and**



1           **(9) a courthouse security fee, if any, under IC 33-19-6-23.**  
2           The docket fee and the cost for the initial service of process shall be  
3           paid upon the institution of each case. The cost of service rendered  
4           subsequent to the initial service shall be assessed and paid after such  
5           service has been made, and the cost of witness fees shall be paid before  
6           the witnesses are called.  
7           (b) If the amount of the township docket fee computed under  
8           subsection (a)(1) is not equal to a whole number, the amount shall be  
9           rounded to the next highest whole number.  
10          SECTION 2. IC 33-19-5-2, AS AMENDED BY P.L.1-2002,  
11          SECTION 134, IS AMENDED TO READ AS FOLLOWS  
12          [EFFECTIVE JULY 1, 2004]: Sec. 2. (a) Except as provided in  
13          subsections (d) and (e), for each action that results in a judgment:  
14                (1) for a violation constituting an infraction; or  
15                (2) for a violation of an ordinance of a municipal corporation (as  
16                defined in IC 36-1-2-10);  
17          the clerk shall collect from the defendant an infraction or ordinance  
18          violation costs fee of seventy dollars (\$70).  
19          (b) In addition to the infraction or ordinance violation costs fee  
20          collected under this section, the clerk shall collect from the defendant  
21          the following fees if they are required under IC 33-19-6:  
22                (1) A document fee (IC 33-19-6-1, IC 33-19-6-2, IC 33-19-6-3).  
23                (2) An alcohol and drug services program user fee  
24                (IC 33-19-6-7(b)).  
25                (3) A law enforcement continuing education program fee  
26                (IC 33-19-6-7(c)).  
27                (4) An alcohol and drug countermeasures fee (IC 33-19-6-10).  
28                (5) A highway work zone fee (IC 33-19-6-14).  
29                (6) A deferred prosecution fee (IC 33-19-6-16.2).  
30                (7) A jury fee (IC 33-19-6-17).  
31                (8) A document storage fee (IC 33-19-6-18.1).  
32                (9) An automated record keeping fee (IC 33-19-6-19).  
33                (10) A late payment fee (IC 33-19-6-20).  
34                **(11) A courthouse security fee (IC 33-19-6-23).**  
35          (c) The clerk shall transfer to the county auditor or fiscal officer of  
36          the municipal corporation the following fees, within thirty (30) days  
37          after they are collected, for deposit by the auditor or fiscal officer in the  
38          user fee fund established under IC 33-19-8:  
39                (1) The alcohol and drug services program user fee.  
40                (2) The law enforcement continuing education program fee.  
41                (3) The deferral program fee.  
42          (d) The defendant is not liable for any ordinance violation costs fee

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1 in an action in which:

2 (1) the defendant was charged with an ordinance violation subject

3 to IC 33-6-3;

4 (2) the defendant denied the violation under IC 33-6-3-2;

5 (3) proceedings in court against the defendant were initiated

6 under IC 34-28-5 (or IC 34-4-32 before its repeal); and

7 (4) the defendant was tried and the court entered judgment for the

8 defendant for the violation.

9 (e) Instead of the infraction or ordinance violation costs fee

10 prescribed by subsection (a), the clerk shall collect a deferral program

11 fee if an agreement between a prosecuting attorney or an attorney for

12 a municipal corporation and the person charged with a violation

13 entered into under IC 34-28-5-1 (or IC 34-4-32-1 before its repeal)

14 requires payment of those fees by the person charged with the

15 violation. The deferral program fee is:

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

17 (2) a monthly user's fee not to exceed ten dollars (\$10) for each

18 month the person remains in the deferral program; and

19 **(3) a courthouse security fee, if any, under IC 33-19-6-23.**

20 SECTION 3. IC 33-19-5-3, AS AMENDED BY P.L.1-2002,

21 SECTION 135, IS AMENDED TO READ AS FOLLOWS

22 [EFFECTIVE JULY 1, 2004]: Sec. 3. (a) For each action filed under:

23 (1) IC 31-34 or IC 31-37 (delinquent children and children in

24 need of services); or

25 (2) IC 31-14 (paternity);

26 the clerk shall collect a juvenile costs fee of one hundred twenty dollars

27 (\$120).

28 (b) In addition to the juvenile costs fee collected under this section,

29 the clerk shall collect the following fees if they are required under

30 IC 33-19-6:

31 (1) A document fee.

32 (2) A marijuana eradication program fee.

33 (3) An alcohol and drug services program user fee.

34 (4) A law enforcement continuing education program fee.

35 (5) An alcohol and drug countermeasures fee.

36 (6) A document storage fee (IC 33-19-6-18.1).

37 (7) An automated record keeping fee (IC 33-19-6-19).

38 (8) A late payment fee (IC 33-19-6-20).

39 **(9) A courthouse security fee (IC 33-19-6-23).**

40 (c) The clerk shall transfer to the county auditor or city or town

41 fiscal officer the following fees, within thirty (30) days after they are

42 collected, for deposit by the auditor or fiscal officer in the appropriate

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1 user fee fund established under IC 33-19-8:

- 2 (1) The marijuana eradication program fee.
- 3 (2) The alcohol and drug services program user fee.
- 4 (3) The law enforcement continuing education program fee.

5 SECTION 4. IC 33-19-5-4, AS AMENDED BY P.L.1-2002,  
6 SECTION 136, IS AMENDED TO READ AS FOLLOWS  
7 [EFFECTIVE JULY 1, 2004]: Sec. 4. (a) For each civil action except:

- 8 (1) proceedings to enforce a statute defining an infraction under
- 9 IC 34-28-5-4 (or IC 34-4-32-4 before its repeal);
- 10 (2) proceedings to enforce an ordinance under IC 34-28-5-4 (or
- 11 IC 34-4-32-4 before its repeal);
- 12 (3) proceedings in juvenile court under IC 31-34 or IC 31-37;
- 13 (4) proceedings in paternity under IC 31-14;
- 14 (5) proceedings in small claims court under IC 33-11.6; and
- 15 (6) proceedings in actions under section 6 of this chapter;

16 the clerk shall collect from the party filing the action a civil costs fee  
17 of one hundred dollars (\$100).

18 (b) **Except as provided in subsection (c)**, in addition to the civil  
19 costs fee collected under this section, the clerk shall collect the  
20 following fees if they are required under IC 33-19-6:

- 21 (1) A document fee.
- 22 (2) A support and maintenance fee.
- 23 (3) A document storage fee (IC 33-19-6-18.1).
- 24 (4) An automated record keeping fee (IC 33-19-6-19).
- 25 (5) **A courthouse security fee (IC 33-19-6-23).**

26 (c) **The clerk may not collect the courthouse security fee, if**  
27 **required under IC 33-19-6-23, for a detention or commitment**  
28 **proceeding under IC 12-26.**

29 SECTION 5. IC 33-19-5-5, AS AMENDED BY P.L.167-2003,  
30 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
31 JULY 1, 2005]: Sec. 5. (a) For each small claims action the clerk shall  
32 collect from the party filing the action a:

- 33 (1) small claims costs fee of thirty-five dollars (\$35); and
- 34 (2) small claims service fee of five dollars (\$5) for each defendant
- 35 named or added in the small claims action.

36 However, a clerk may not collect a small claims costs fee or small  
37 claims service fee for a small claims action filed by or on behalf of the  
38 attorney general.

39 (b) In addition to a small claims costs fee and small claims service  
40 fee collected under this section, the clerk shall collect the following  
41 fees if they are required under IC 33-19-6:

- 42 (1) A document fee.

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1 (2) A document storage fee (IC 33-19-6-18.1).  
 2 (3) An automated record keeping fee (IC 33-19-6-19).  
 3 **(4) A courthouse security fee (IC 33-19-6-23).**  
 4 SECTION 6. IC 33-19-5-6, AS AMENDED BY P.L.1-2002,  
 5 SECTION 138, IS AMENDED TO READ AS FOLLOWS  
 6 [EFFECTIVE JULY 1, 2004]: Sec. 6. (a) Except as provided under  
 7 subsection (c), for each action filed under:  
 8 (1) IC 6-4.1-5 (determination of inheritance tax);  
 9 (2) IC 29 (probate); and  
 10 (3) IC 30 (trusts and fiduciaries);  
 11 the clerk shall collect from the party filing the action a probate costs fee  
 12 of one hundred twenty dollars (\$120).  
 13 (b) In addition to the probate costs fee collected under this section,  
 14 the clerk shall collect from the party filing the action the following fees  
 15 if they are required under IC 33-19-6:  
 16 (1) A document fee.  
 17 (2) A document storage fee (IC 33-19-6-18.1).  
 18 (3) An automated record keeping fee (IC 33-19-6-19).  
 19 **(4) A courthouse security fee (IC 33-19-6-23).**  
 20 (c) A clerk may not collect a court costs fee for the filing of the  
 21 following exempted actions:  
 22 (1) Petition to open a safety deposit box.  
 23 (2) Filing an inheritance tax return, unless proceedings other than  
 24 the court's approval of the return become necessary.  
 25 (3) Offering a will for probate under IC 29-1-7, unless  
 26 proceedings other than admitting the will to probate become  
 27 necessary.  
 28 SECTION 7. IC 33-19-6-23 IS ADDED TO THE INDIANA CODE  
 29 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 30 1, 2004]: **Sec. 23. (a) The fiscal body of a county may adopt an  
 31 ordinance establishing a:**  
 32 **(1) courthouse security fee; and**  
 33 **(2) courthouse security fund.**  
 34 **A clerk may not collect a courthouse security fee under**  
 35 **IC 33-11.6-4-15 or IC 33-19-5 unless an ordinance is adopted**  
 36 **establishing a courthouse security fee and a courthouse security**  
 37 **fund under this section.**  
 38 **(b) An ordinance establishing a courthouse security fee must**  
 39 **specify the amount of the fee. The fee must be:**  
 40 **(1) at least three dollars (\$3); and**  
 41 **(2) not more than nine dollars (\$9).**  
 42 **(c) An ordinance establishing a courthouse security fund must**

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specify that:

- (1) the fund consists solely of courthouse security fees collected under IC 33-11.6-4-15 and IC 33-19-5;**
- (2) the sheriff of the county in which fees are collected shall administer the fund; and**
- (3) distributions of money from the fund:**
  - (A) may be used only to provide or enhance security for a:**
    - (i) circuit;**
    - (ii) superior;**
    - (iii) county;**
    - (iv) probate;**
    - (v) small claims;**
    - (vi) city; or**
    - (vii) town;**
  - court located in the county in which the fees are collected;**
  - (B) must be used in conformance with the Indiana courthouse security minimum standards adopted by the Indiana judicial center; and**
  - (C) may be made by the sheriff of the county in which the fees are collected without first obtaining an appropriation from the county fiscal body.**

SECTION 8. IC 33-19-7-1, AS AMENDED BY P.L.167-2003, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) The clerk of a circuit court shall semiannually distribute to the auditor of state as the state share for deposit in the state general fund seventy percent (70%) of the amount of fees collected under the following:

- (1) IC 33-19-5-1(a) (criminal costs fees).
- (2) IC 33-19-5-2(a) (infraction or ordinance violation costs fees).
- (3) IC 33-19-5-3(a) (juvenile costs fees).
- (4) IC 33-19-5-4(a) (civil costs fees).
- (5) IC 33-19-5-5(a)(1) (small claims costs fees).
- (6) IC 33-19-5-6(a) (probate costs fees).
- (7) IC 33-19-6-16.2 (deferred prosecution fees).

(b) The clerk of a circuit court shall semiannually distribute to the auditor of state for deposit in the state user fee fund established under IC 33-19-9-2 the following:

- (1) Twenty-five percent (25%) of the drug abuse, prosecution, interdiction, and correction fees collected under IC 33-19-5-1(b)(5).
- (2) Twenty-five percent (25%) of the alcohol and drug countermeasures fees collected under IC 33-19-5-1(b)(6),

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- 1 IC 33-19-5-2(b)(4), and IC 33-19-5-3(b)(5).
- 2 (3) Fifty percent (50%) of the child abuse prevention fees
- 3 collected under IC 33-19-5-1(b)(7).
- 4 (4) One hundred percent (100%) of the domestic violence
- 5 prevention and treatment fees collected under IC 33-19-5-1(b)(8).
- 6 (5) One hundred percent (100%) of the highway work zone fees
- 7 collected under IC 33-19-5-1(b)(9) and IC 33-19-5-2(b)(5).
- 8 (6) One hundred percent (100%) of the safe schools fee collected
- 9 under IC 33-19-6-16.3.
- 10 (7) One hundred percent (100%) of the automated record keeping
- 11 fee (IC 33-19-6-19).
- 12 (c) The clerk of a circuit court shall monthly distribute to the county
- 13 auditor the following:
- 14 (1) Seventy-five percent (75%) of the drug abuse, prosecution,
- 15 interdiction, and correction fees collected under
- 16 IC 33-19-5-1(b)(5).
- 17 (2) Seventy-five percent (75%) of the alcohol and drug
- 18 countermeasures fees collected under IC 33-19-5-1(b)(6),
- 19 IC 33-19-5-2(b)(4), and IC 33-19-5-3(b)(5).
- 20 The county auditor shall deposit fees distributed by a clerk under this
- 21 subsection into the county drug free community fund established under
- 22 IC 5-2-11.
- 23 (d) The clerk of a circuit court shall monthly distribute to the county
- 24 auditor fifty percent (50%) of the child abuse prevention fees collected
- 25 under IC 33-19-5-1(b)(8). The county auditor shall deposit fees
- 26 distributed by a clerk under this subsection into the county child
- 27 advocacy fund established under IC 12-17-17.
- 28 (e) The clerk of a circuit court shall monthly distribute to the county
- 29 auditor one hundred percent (100%) of the late payment fees collected
- 30 under IC 33-19-6-20. The county auditor shall deposit fees distributed
- 31 by a clerk under this subsection as follows:
- 32 (1) If directed to do so by an ordinance adopted by the county
- 33 fiscal body, the county auditor shall deposit forty percent (40%)
- 34 of the fees in the clerk's record perpetuation fund established
- 35 under IC 33-19-6-1.5 and sixty percent (60%) of the fees in the
- 36 county general fund.
- 37 (2) If the county fiscal body has not adopted an ordinance under
- 38 subdivision (1), the county auditor shall deposit all the fees in the
- 39 county general fund.
- 40 (f) The clerk of the circuit court shall semiannually distribute to the
- 41 auditor of state for deposit in the sexual assault victims assistance fund
- 42 established under IC 16-19-13-6 one hundred percent (100%) of the

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1 sexual assault victims assistance fees collected under IC 33-19-6-21.  
 2 (g) The clerk of a circuit court shall monthly distribute to the county  
 3 auditor the following:  
 4 (1) One hundred percent (100%) of the support and maintenance  
 5 fees for cases designated as non-Title IV-D child support cases in  
 6 the Indiana support enforcement tracking system (ISETS)  
 7 collected under IC 33-19-6-5.  
 8 (2) The percentage share of the support and maintenance fees for  
 9 cases designated as **Title** IV-D child support cases in ISETS  
 10 collected under IC 33-19-6-5 that is reimbursable to the county at  
 11 the federal financial participation rate.  
 12 The county clerk shall monthly distribute to the office of the secretary  
 13 of family and social services the percentage share of the support and  
 14 maintenance fees for cases designated as Title IV-D child support cases  
 15 in ISETS collected under IC 33-19-6-5 that is not reimbursable to the  
 16 county at the applicable federal financial participation rate.  
 17 (h) The clerk of a circuit court shall monthly distribute to the county  
 18 auditor one hundred percent (100%) of the small claims service fee  
 19 under IC 33-19-5-5(a)(2) for deposit in the county general fund.  
 20 **(i) The clerk of a circuit court shall monthly distribute to the**  
 21 **county auditor one hundred percent (100%) of the courthouse**  
 22 **security fees for deposit in a courthouse security fund established**  
 23 **for the county under IC 33-19-6-23.**  
 24 SECTION 9. IC 33-19-7-4, AS AMENDED BY P.L.167-2003,  
 25 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26 JULY 1, 2005]: Sec. 4. (a) The clerk of a city or town court shall  
 27 semiannually distribute to the auditor of state as the state share for  
 28 deposit in the state general fund fifty-five percent (55%) of the amount  
 29 of fees collected under the following:  
 30 (1) IC 33-19-5-1(a) (criminal costs fees).  
 31 (2) IC 33-19-5-2(a) (infraction or ordinance violation costs fees).  
 32 (3) IC 33-19-5-4(a) (civil costs fees).  
 33 (4) IC 33-19-5-5(a)(1) (small claims costs fees).  
 34 (5) IC 33-19-6-16.2 (deferred prosecution fees).  
 35 (b) Once each month the city or town fiscal officer shall distribute  
 36 to the county auditor as the county share twenty percent (20%) of the  
 37 amount of fees collected under the following:  
 38 (1) IC 33-19-5-1(a) (criminal costs fees).  
 39 (2) IC 33-19-5-2(a) (infraction or ordinance violation costs fees).  
 40 (3) IC 33-19-5-4(a) (civil costs fees).  
 41 (4) IC 33-19-5-5(a)(1) (small claims costs fees).  
 42 (5) IC 33-19-6-16.2 (deferred prosecution fees).

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1 (c) The city or town fiscal officer shall retain twenty-five percent  
 2 (25%) as the city or town share of the fees collected under the  
 3 following:

- 4 (1) IC 33-19-5-1(a) (criminal costs fees).  
 5 (2) IC 33-19-5-2(a) (infraction or ordinance violation costs fees).  
 6 (3) IC 33-19-5-4(a) (civil costs fees).  
 7 (4) IC 33-19-5-5(a)(1) (small claims costs fees).  
 8 (5) IC 33-19-6-16.2 (deferred prosecution fees).

9 (d) The clerk of a city or town court shall semiannually distribute to  
 10 the auditor of state for deposit in the state user fee fund established  
 11 under IC 33-19-9 the following:

- 12 (1) Twenty-five percent (25%) of the drug abuse, prosecution,  
 13 interdiction, and corrections fees collected under  
 14 IC 33-19-5-1(b)(5).  
 15 (2) Twenty-five percent (25%) of the alcohol and drug  
 16 countermeasures fees collected under IC 33-19-5-1(b)(6),  
 17 IC 33-19-5-2(b)(4), and IC 33-19-5-3(b)(5).  
 18 (3) One hundred percent (100%) of the highway work zone fees  
 19 collected under IC 33-19-5-1(b)(9) and IC 33-19-5-2(b)(5).  
 20 (4) One hundred percent (100%) of the safe schools fee collected  
 21 under IC 33-19-6-16.3.  
 22 (5) One hundred percent (100%) of the automated record keeping  
 23 fee (IC 33-19-6-19).

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

- 26 (1) Seventy-five percent (75%) of the drug abuse, prosecution,  
 27 interdiction, and corrections fees collected under  
 28 IC 33-19-5-1(b)(5).  
 29 (2) Seventy-five percent (75%) of the alcohol and drug  
 30 countermeasures fees collected under IC 33-19-5-1(b)(6),  
 31 IC 33-19-5-2(b)(4), and IC 33-19-5-3(b)(5).

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

35 (f) The clerk of a city or town court shall distribute monthly to the  
 36 city or town fiscal officer (as defined in IC 36-1-2-7) one hundred  
 37 percent (100%) of the late payment fees collected under IC 33-19-6-20.  
 38 The city or town fiscal officer (as defined in IC 36-1-2-7) shall deposit  
 39 fees distributed by a clerk under this subsection in the city or town  
 40 general fund.

41 **(g) The clerk of a city or town court shall monthly distribute to**  
 42 **the city or town fiscal officer (as defined in IC 36-1-2-7) one**

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1 **hundred percent (100%) of the courthouse security fees for deposit**  
2 **in a courthouse security fund established for the county under**  
3 **IC 33-19-6-23.**

4 SECTION 10. IC 36-2-13-5 IS AMENDED TO READ AS  
5 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 5. (a) The sheriff shall:

- 6 (1) arrest without process persons who commit an offense within
- 7 his view, take them before a court of the county having
- 8 jurisdiction, and detain them in custody until the cause of the
- 9 arrest has been investigated;
- 10 (2) suppress breaches of the peace, calling the power of the
- 11 county to his aid if necessary;
- 12 (3) pursue and jail felons;
- 13 (4) execute all process directed to him by legal authority;
- 14 (5) serve all process directed to him from a court or the county
- 15 executive;
- 16 (6) attend and preserve order in all courts of the county;
- 17 (7) take care of the county jail and the prisoners there; ~~and~~
- 18 (8) take photographs, fingerprints, and other identification data as
- 19 he shall prescribe of persons taken into custody for felonies or
- 20 misdemeanors; **and**

21 **(9) administer a courthouse security fund:**

- 22 **(A) if a fund is established under IC 33-19-6-23; and**
- 23 **(B) in conformance with the Indiana courthouse security**
- 24 **minimum standards adopted by the Indiana judicial**
- 25 **center.**

26 (b) A person who:

- 27 (1) refuses to be photographed;
- 28 (2) refuses to be fingerprinted;
- 29 (3) withholds information; or
- 30 (4) gives false information;

31 as prescribed in subsection (a)(8), commits a Class C misdemeanor.

32 SECTION 11. [EFFECTIVE JULY 1, 2004] **(a) In addition to the**  
33 **collection required by IC 33-19-5-5(b), as in effect July 1, 2004, the**  
34 **clerk shall collect a courthouse security fee if a courthouse security**  
35 **fee and a courthouse security fund are established under**  
36 **IC 33-19-6-23.**

37 **(b) In addition to the distribution required under IC 33-19-7-1,**  
38 **as in effect July 1, 2004, the clerk of a circuit court shall monthly**  
39 **distribute to the county auditor one hundred percent (100%) of the**  
40 **courthouse security fees for deposit in a courthouse security fund**  
41 **if a courthouse security fee and a courthouse security fund are**  
42 **established under IC 33-19-6-23, as added by this act.**

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1           (c) In addition to the distribution required under IC 33-19-7-4,  
2 as in effect July 1, 2004, the clerk of a city or town court shall  
3 monthly distribute to the city or town fiscal officer one hundred  
4 percent (100%) of the courthouse security fees for deposit in a  
5 courthouse security fund if a courthouse security fee and a  
6 courthouse security fund are established under IC 33-19-6-23, as  
7 added by this act.

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