

# HOUSE BILL No. 1318

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 9-29-5-2; IC 16-41; IC 33-37.

**Synopsis:** Funding for spinal cord and brain injury research. Eliminates the \$10 registration fee on motorcycles that is designated for deposit in the spinal cord and brain injury fund. Increases court costs by \$8 for certain traffic offenses and infractions for deposit in the spinal cord and brain injury fund. Repeals the law establishing the spinal cord and brain injury fund, and re-enacts the law under a different citation number to resolve a technical conflict between P.L.193-2007 and P.L.234-2007, which resulted in the addition of two different laws with the same citation number. Makes an appropriation.

**Effective:** July 1, 2008.

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January 15, 2008, read first time and referred to Committee on Roads and Transportation.

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Second Regular Session 115th General Assembly (2008)

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 2007 Regular Session of the General Assembly.

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# HOUSE BILL No. 1318



A BILL FOR AN ACT to amend the Indiana Code concerning health and to make an appropriation.

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

1 SECTION 1. IC 9-29-5-2, AS AMENDED BY P.L.234-2007,  
2 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2008]: Sec. 2. The fee for the registration of a motorcycle is  
4 ~~twenty-seven seventeen~~ dollars (~~\$27~~): **(\$17)**. The revenue from this fee  
5 shall be allocated as follows:

- 6 (1) Seven dollars (\$7) to the motorcycle operator safety education
- 7 fund established by IC 20-30-13-11.
- 8 (2) An amount prescribed as a license branch service charge
- 9 under IC 9-29-3.
- 10 (3) ~~Ten dollars (\$10) to the spinal cord and brain injury fund~~
- 11 ~~under IC 16-41-42-4.~~
- 12 (4) **(3)** The balance to the state general fund for credit to the
- 13 motor vehicle highway account.

14 SECTION 2. IC 16-41-42.2-3 IS ADDED TO THE INDIANA  
15 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
16 [EFFECTIVE JULY 1, 2008]: **Sec. 3. (a) The spinal cord and brain**  
17 **injury fund is established to fund research on spinal cord and brain**



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**injuries.**

**(b) The fund shall be administered by the state department.**

**(c) The fund consists of:**

- (1) appropriations;**
- (2) gifts and bequests;**
- (3) fees deposited in the fund by law; and**
- (4) grants received from the federal government or private sources.**

**(d) The expenses of administering the fund shall be paid from money in the fund.**

**(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.**

**(f) Money in the fund at the end of a state fiscal year does not revert to the state general fund.**

**(g) The money in the fund is continually appropriated to the state department to fund spinal cord and brain injury research programs.**

SECTION 3. IC 33-37-4-2, AS AMENDED BY P.L.176-2005, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 2. (a) Except as provided in subsections (d) and (e), for each action that results in a judgment:

- (1) for a violation constituting an infraction; or
- (2) for a violation of an ordinance of a municipal corporation (as defined in IC 36-1-2-10);

the clerk shall collect from the defendant an infraction or ordinance violation costs fee of seventy dollars (\$70).

(b) In addition to the infraction or ordinance violation costs fee collected under this section, the clerk shall collect from the defendant the following fees, if they are required under IC 33-37-5:

- (1) A document fee (IC 33-37-5-1, IC 33-37-5-3, or IC 33-37-5-4).
- (2) An alcohol and drug services program user fee (IC 33-37-5-8(b)).
- (3) A law enforcement continuing education program fee (IC 33-37-5-8(c)).
- (4) An alcohol and drug countermeasures fee (IC 33-37-5-10).
- (5) A highway work zone fee (IC 33-37-5-14).
- (6) A deferred prosecution fee (IC 33-37-5-17).
- (7) A jury fee (IC 33-37-5-19).
- (8) A document storage fee (IC 33-37-5-20).
- (9) An automated record keeping fee (IC 33-37-5-21).

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- 1 (10) A late payment fee (IC 33-37-5-22).
- 2 (11) A public defense administration fee (IC 33-37-5-21.2).
- 3 (12) A judicial insurance adjustment fee (IC 33-37-5-25).
- 4 (13) A judicial salaries fee (IC 33-37-5-26).
- 5 (14) A court administration fee (IC 33-37-5-27).
- 6 (15) A DNA sample processing fee (IC 33-37-5-26.2).
- 7 **(16) A speeding violation fee (IC 33-37-5-30).**
- 8 **(17) A passenger restraint violation fee (IC 33-37-5-31).**
- 9 **(18) A driving while a license is suspended fee (IC 33-37-5-32).**
- 10 **(19) A driving while intoxicated and endangering a person fee**
- 11 **(IC 33-37-5-33).**
- 12 **(20) A disregard of stop sign fee (IC 33-37-5-34).**
- 13 **(21) A disregard of traffic signal fee (IC 33-37-5-35).**
- 14 **(22) A driving while intoxicated fee (IC 33-37-5-36).**
- 15 **(23) A disregard of traffic control device fee (IC 33-37-5-37).**
- 16 **(24) A prior operating while intoxicated fee (IC 33-37-5-38).**
- 17 **(25) A following too closely fee (IC 33-37-5-39).**
- 18 **(26) A reckless driving fee (IC 33-37-5-40).**
- 19 **(27) An unsafe lane movement fee (IC 33-37-5-41).**
- 20 **(28) A yield violation fee (IC 33-37-5-42).**
- 21 **(29) An improper turn at intersection fee (IC 33-37-5-43).**
- 22 **(30) A driving left of center fee (IC 33-37-5-44).**
- 23 **(31) An offense relating to controlled substances while using**
- 24 **a motor vehicle fee (IC 33-37-5-45).**
- 25 **(32) A passing in a no passing zone fee (IC 33-37-5-46).**
- 26 **(33) A driving on the wrong side of the road fee**
- 27 **(IC 33-37-5-47).**
- 28 **(34) A driving the wrong way on a one-way road fee**
- 29 **(IC 33-37-5-48).**
- 30 **(35) An improper passing fee (IC 33-37-5-49).**
- 31 **(36) An improper passing to the left of the center line fee**
- 32 **(IC 33-37-5-50).**
- 33 **(37) An operating a vehicle with a controlled substance fee**
- 34 **(IC 33-37-5-51).**
- 35 **(38) An operating a vehicle while intoxicated resulting in**
- 36 **injury fee (IC 33-37-5-52).**
- 37 **(39) A zero tolerance for individuals under the age of**
- 38 **twenty-one (21) who drive while intoxicated fee**
- 39 **(IC 33-37-5-53).**

40 (c) The clerk shall transfer to the county auditor or fiscal officer of  
 41 the municipal corporation the following fees, not later than thirty (30)  
 42 days after the fees are collected:

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- 1 (1) The alcohol and drug services program user fee
- 2 (IC 33-37-5-8(b)).
- 3 (2) The law enforcement continuing education program fee
- 4 (IC 33-37-5-8(c)).
- 5 (3) The deferral program fee (subsection (e)).

6 The auditor or fiscal officer shall deposit the fees in the user fee fund  
7 established under IC 33-37-8.

8 (d) The defendant is not liable for any ordinance violation costs fee  
9 in an action if all the following apply:

- 10 (1) The defendant was charged with an ordinance violation
- 11 subject to IC 33-36.
- 12 (2) The defendant denied the violation under IC 33-36-3.
- 13 (3) Proceedings in court against the defendant were initiated
- 14 under IC 34-28-5 (or IC 34-4-32 before its repeal).
- 15 (4) The defendant was tried and the court entered judgment for
- 16 the defendant for the violation.

17 (e) Instead of the infraction or ordinance violation costs fee  
18 prescribed by subsection (a), the clerk shall collect a deferral program  
19 fee if an agreement between a prosecuting attorney or an attorney for  
20 a municipal corporation and the person charged with a violation  
21 entered into under IC 34-28-5-1 (or IC 34-4-32-1 before its repeal)  
22 requires payment of those fees by the person charged with the  
23 violation. The deferral program fee is:

- 24 (1) an initial user's fee not to exceed fifty-two dollars (\$52); and
- 25 (2) a monthly user's fee not to exceed ten dollars (\$10) for each
- 26 month the person remains in the deferral program.

27 (f) The fees prescribed by this section are costs for purposes of  
28 IC 34-28-5-5 and may be collected from a defendant against whom  
29 judgment is entered. Any penalty assessed is in addition to costs.

30 SECTION 4. IC 33-37-5-30 IS ADDED TO THE INDIANA CODE  
31 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
32 1, 2008]: **Sec. 30. (a) This section applies to infractions committed**  
33 **under IC 9-21-5.**

34 **(b) The clerk shall collect a speeding violation fee of eight**  
35 **dollars (\$8) for each infraction committed under IC 9-21-5.**

36 SECTION 5. IC 33-37-5-31 IS ADDED TO THE INDIANA CODE  
37 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
38 1, 2008]: **Sec. 31. (a) This section applies to infractions committed**  
39 **under IC 9-19-10.**

40 **(b) The clerk shall collect a passenger restraint violation fee of**  
41 **eight dollars (\$8) for each infraction committed under IC 9-19-10.**

42 SECTION 6. IC 33-37-5-32 IS ADDED TO THE INDIANA CODE

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1 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
2 1, 2008]: **Sec. 32. (a) This section applies to infractions committed  
3 under IC 9-24-19-1.**

4 **(b) The clerk shall collect a driving while a license is suspended  
5 fee of eight dollars (\$8) for each infraction committed under  
6 IC 9-24-19-1.**

7 SECTION 7. IC 33-37-5-33 IS ADDED TO THE INDIANA CODE  
8 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
9 1, 2008]: **Sec. 33. (a) This section applies to misdemeanors  
10 committed under IC 9-30-5-2.**

11 **(b) The clerk shall collect a driving while intoxicated and  
12 endangering a person fee of eight dollars (\$8) for each  
13 misdemeanor committed under IC 9-30-5-2.**

14 SECTION 8. IC 33-37-5-34 IS ADDED TO THE INDIANA CODE  
15 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
16 1, 2008]: **Sec. 34. (a) This section applies to infractions committed  
17 under IC 9-21-8-32.**

18 **(b) The clerk shall collect a disregard of stop sign fee of eight  
19 dollars (\$8) for each infraction committed under IC 9-21-8-32.**

20 SECTION 9. IC 33-37-5-35 IS ADDED TO THE INDIANA CODE  
21 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
22 1, 2008]: **Sec. 35. (a) This section applies to infractions committed  
23 under IC 9-21-3-7.**

24 **(b) The clerk shall collect a disregard of traffic signal fee of  
25 eight dollars (\$8) for each infraction committed under IC 9-21-3-7.**

26 SECTION 10. IC 33-37-5-36 IS ADDED TO THE INDIANA  
27 CODE AS A NEW SECTION TO READ AS FOLLOWS  
28 [EFFECTIVE JULY 1, 2008]: **Sec. 36. (a) This section applies to  
29 misdemeanors committed under IC 9-30-5-1.**

30 **(b) The clerk shall collect a driving while intoxicated fee of eight  
31 dollars (\$8) for each misdemeanor committed under IC 9-30-5-1.**

32 SECTION 11. IC 33-37-5-37 IS ADDED TO THE INDIANA  
33 CODE AS A NEW SECTION TO READ AS FOLLOWS  
34 [EFFECTIVE JULY 1, 2008]: **Sec. 37. (a) This section applies to  
35 infractions committed under IC 9-21-8-41.**

36 **(b) The clerk shall collect a disregard of traffic control device  
37 fee of eight dollars (\$8) for each infraction committed under  
38 IC 9-21-8-41.**

39 SECTION 12. IC 33-37-5-38 IS ADDED TO THE INDIANA  
40 CODE AS A NEW SECTION TO READ AS FOLLOWS  
41 [EFFECTIVE JULY 1, 2008]: **Sec. 38. (a) This section applies to  
42 felonies committed under IC 9-30-5-3.**

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1           **(b) The clerk shall collect a prior operating while intoxicated fee**  
2 **of eight dollars (\$8) for each felony committed under IC 9-30-5-3.**  
3           SECTION 13. IC 33-37-5-39 IS ADDED TO THE INDIANA  
4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
5 [EFFECTIVE JULY 1, 2008]: **Sec. 39. (a) This section applies to**  
6 **infractions committed under IC 9-21-8-14.**  
7           **(b) The clerk shall collect a following too closely fee of eight**  
8 **dollars (\$8) for each infraction committed under IC 9-21-8-14.**  
9           SECTION 14. IC 33-37-5-40 IS ADDED TO THE INDIANA  
10 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
11 [EFFECTIVE JULY 1, 2008]: **Sec. 40. (a) This section applies to**  
12  **misdemeanors committed under IC 9-21-8-52.**  
13           **(b) The clerk shall collect a reckless driving fee of eight dollars**  
14 **(\$8) for each misdemeanor committed under IC 9-21-8-52.**  
15           SECTION 15. IC 33-37-5-41 IS ADDED TO THE INDIANA  
16 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
17 [EFFECTIVE JULY 1, 2008]: **Sec. 41. (a) This section applies to**  
18 **infractions committed under IC 9-21-8-11.**  
19           **(b) The clerk shall collect an unsafe lane movement fee of eight**  
20 **dollars (\$8) for each infraction committed under IC 9-21-8-11.**  
21           SECTION 16. IC 33-37-5-42 IS ADDED TO THE INDIANA  
22 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
23 [EFFECTIVE JULY 1, 2008]: **Sec. 42. (a) This section applies to**  
24 **infractions committed under IC 9-21-8-30.**  
25           **(b) The clerk shall collect a yield violation fee of eight dollars**  
26 **(\$8) for each infraction committed under IC 9-21-8-30.**  
27           SECTION 17. IC 33-37-5-43 IS ADDED TO THE INDIANA  
28 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
29 [EFFECTIVE JULY 1, 2008]: **Sec. 43. (a) This section applies to**  
30 **infractions committed under IC 9-21-8-21.**  
31           **(b) The clerk shall collect an improper turn at intersection fee**  
32 **of eight dollars (\$8) for each infraction committed under**  
33 **IC 9-21-8-21.**  
34           SECTION 18. IC 33-37-5-44 IS ADDED TO THE INDIANA  
35 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
36 [EFFECTIVE JULY 1, 2008]: **Sec. 44. (a) This section applies to**  
37 **infractions committed under IC 9-21-8-4.**  
38           **(b) The clerk shall collect a driving left of center fee of eight**  
39 **dollars (\$8) for each infraction committed under IC 9-21-8-4.**  
40           SECTION 19. IC 33-37-5-45 IS ADDED TO THE INDIANA  
41 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
42 [EFFECTIVE JULY 1, 2008]: **Sec. 45. (a) This section applies to**

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1 **misdemeanors and felonies under IC 35-48-4-15.**

2 **(b) The clerk shall collect an offense relating to controlled**  
 3 **substances while using a motor vehicle fee of eight dollars (\$8) for**  
 4 **each misdemeanor or felony committed under IC 35-48-4-15.**

5 SECTION 20. IC 33-37-5-46 IS ADDED TO THE INDIANA  
 6 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 7 [EFFECTIVE JULY 1, 2008]: **Sec. 46. (a) This section applies to**  
 8 **infractions committed under IC 9-21-4-12.**

9 **(b) The clerk shall collect a passing in a no passing zone fee of**  
 10 **eight dollars (\$8) for each infraction committed under**  
 11 **IC 9-21-4-12.**

12 SECTION 21. IC 33-37-5-47 IS ADDED TO THE INDIANA  
 13 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 14 [EFFECTIVE JULY 1, 2008]: **Sec. 47. (a) This section applies to**  
 15 **infractions committed under IC 9-21-8-2.**

16 **(b) The clerk shall collect a driving on the wrong side of the**  
 17 **road fee of eight dollars (\$8) for each infraction committed under**  
 18 **IC 9-21-8-2.**

19 SECTION 22. IC 33-37-5-48 IS ADDED TO THE INDIANA  
 20 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 21 [EFFECTIVE JULY 1, 2008]: **Sec. 48. (a) This section applies to**  
 22 **infractions committed under IC 9-21-8-9.**

23 **(b) The clerk shall collect a driving the wrong way on a one-way**  
 24 **road fee of eight dollars (\$8) for each infraction committed under**  
 25 **IC 9-21-8-9.**

26 SECTION 23. IC 33-37-5-49 IS ADDED TO THE INDIANA  
 27 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 28 [EFFECTIVE JULY 1, 2008]: **Sec. 49. (a) This section applies to**  
 29 **infractions committed under IC 9-21-8-5.**

30 **(b) The clerk shall collect an improper passing fee of eight**  
 31 **dollars (\$8) for each infraction committed under IC 9-21-8-5.**

32 SECTION 24. IC 33-37-5-50 IS ADDED TO THE INDIANA  
 33 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 34 [EFFECTIVE JULY 1, 2008]: **Sec. 50. (a) This section applies to**  
 35 **infractions committed under IC 9-21-8-7.**

36 **(b) The clerk shall collect an improper passing to the left of the**  
 37 **center line fee of eight dollars (\$8) for each infraction committed**  
 38 **under IC 9-21-8-7.**

39 SECTION 25. IC 33-37-5-51 IS ADDED TO THE INDIANA  
 40 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 41 [EFFECTIVE JULY 1, 2008]: **Sec. 51. (a) This section applies to**  
 42 **misdemeanors committed under IC 9-30-5-1(c).**

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1           **(b) The clerk shall collect an operating a vehicle with a**  
 2 **controlled substance fee of eight dollars (\$8) for each misdemeanor**  
 3 **committed under IC 9-30-5-1(c).**

4           SECTION 26. IC 33-37-5-52 IS ADDED TO THE INDIANA  
 5 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 6 [EFFECTIVE JULY 1, 2008]: **Sec. 52. (a) This section applies to**  
 7 **felonies committed under IC 9-30-5-4.**

8           **(b) The clerk shall collect an operating a vehicle while**  
 9 **intoxicated resulting in injury fee of eight dollars (\$8) for each**  
 10 **felony committed under IC 9-30-5-4.**

11           SECTION 27. IC 33-37-5-53 IS ADDED TO THE INDIANA  
 12 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 13 [EFFECTIVE JULY 1, 2008]: **Sec. 53. (a) This section applies to**  
 14 **infractions committed under IC 9-30-5-8.5.**

15           **(b) The clerk shall collect a zero tolerance for individuals under**  
 16 **the age of twenty-one (21) who drive while intoxicated fee of eight**  
 17 **dollars (\$8) for each infraction committed under IC 9-30-5-8.5.**

18           SECTION 28. IC 33-37-7-2, AS AMENDED BY P.L.174-2006,  
 19 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20 JULY 1, 2008]: Sec. 2. (a) The clerk of a circuit court shall distribute  
 21 semiannually to the auditor of state as the state share for deposit in the  
 22 state general fund seventy percent (70%) of the amount of fees  
 23 collected under the following:

- 24           (1) IC 33-37-4-1(a) (criminal costs fees).
- 25           (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).
- 26           (3) IC 33-37-4-3(a) (juvenile costs fees).
- 27           (4) IC 33-37-4-4(a) (civil costs fees).
- 28           (5) IC 33-37-4-6(a)(1)(A) (small claims costs fees).
- 29           (6) IC 33-37-4-7(a) (probate costs fees).
- 30           (7) IC 33-37-5-17 (deferred prosecution fees).

31           (b) The clerk of a circuit court shall distribute semiannually to the  
 32 auditor of state for deposit in the state user fee fund established in  
 33 IC 33-37-9-2 the following:

- 34           (1) Twenty-five percent (25%) of the drug abuse, prosecution,  
 35 interdiction, and correction fees collected under  
 36 IC 33-37-4-1(b)(5).
- 37           (2) Twenty-five percent (25%) of the alcohol and drug  
 38 countermeasures fees collected under IC 33-37-4-1(b)(6),  
 39 IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).
- 40           (3) Fifty percent (50%) of the child abuse prevention fees  
 41 collected under IC 33-37-4-1(b)(7).
- 42           (4) One hundred percent (100%) of the domestic violence

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- 1 prevention and treatment fees collected under IC 33-37-4-1(b)(8).
- 2 (5) One hundred percent (100%) of the highway work zone fees
- 3 collected under IC 33-37-4-1(b)(9) and IC 33-37-4-2(b)(5).
- 4 (6) One hundred percent (100%) of the safe schools fee collected
- 5 under IC 33-37-5-18.
- 6 (7) One hundred percent (100%) of the automated record keeping
- 7 fee (IC 33-37-5-21).

8 (c) The clerk of a circuit court shall distribute monthly to the county  
 9 auditor the following:

- 10 (1) Seventy-five percent (75%) of the drug abuse, prosecution,
- 11 interdiction, and correction fees collected under
- 12 IC 33-37-4-1(b)(5).
- 13 (2) Seventy-five percent (75%) of the alcohol and drug
- 14 countermeasures fees collected under IC 33-37-4-1(b)(6),
- 15 IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).

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

19 (d) The clerk of a circuit court shall distribute monthly to the county  
 20 auditor fifty percent (50%) of the child abuse prevention fees collected  
 21 under IC 33-37-4-1(b)(7). The county auditor shall deposit fees  
 22 distributed by a clerk under this subsection into the county child  
 23 advocacy fund established under IC 12-17-17.

24 (e) The clerk of a circuit court shall distribute monthly to the county  
 25 auditor one hundred percent (100%) of the late payment fees collected  
 26 under IC 33-37-5-22. The county auditor shall deposit fees distributed  
 27 by a clerk under this subsection as follows:

- 28 (1) If directed to do so by an ordinance adopted by the county
- 29 fiscal body, the county auditor shall deposit forty percent (40%)
- 30 of the fees in the clerk's record perpetuation fund established
- 31 under IC 33-37-5-2 and sixty percent (60%) of the fees in the
- 32 county general fund.
- 33 (2) If the county fiscal body has not adopted an ordinance
- 34 described in subdivision (1), the county auditor shall deposit all
- 35 the fees in the county general fund.

36 (f) The clerk of the circuit court shall distribute semiannually to the  
 37 auditor of state for deposit in the sexual assault victims assistance  
 38 account established by IC 4-23-25-11(i) one hundred percent (100%)  
 39 of the sexual assault victims assistance fees collected under  
 40 IC 33-37-5-23.

41 (g) The clerk of a circuit court shall distribute monthly to the county  
 42 auditor the following:

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1 (1) One hundred percent (100%) of the support and maintenance  
2 fees for cases designated as non-Title IV-D child support cases in  
3 the Indiana support enforcement tracking system (ISETS)  
4 collected under IC 33-37-5-6.

5 (2) The percentage share of the support and maintenance fees for  
6 cases designated as IV-D child support cases in ISETS collected  
7 under IC 33-37-5-6 that is reimbursable to the county at the  
8 federal financial participation rate.

9 The county clerk shall distribute monthly to the office of the secretary  
10 of family and social services the percentage share of the support and  
11 maintenance fees for cases designated as Title IV-D child support cases  
12 in ISETS collected under IC 33-37-5-6 that is not reimbursable to the  
13 county at the applicable federal financial participation rate.

14 (h) The clerk of a circuit court shall distribute monthly to the county  
15 auditor the following:

16 (1) One hundred percent (100%) of the small claims service fee  
17 under IC 33-37-4-6(a)(1)(B) or IC 33-37-4-6(a)(2) for deposit in  
18 the county general fund.

19 (2) One hundred percent (100%) of the small claims garnishee  
20 service fee under IC 33-37-4-6(a)(1)(C) or IC 33-37-4-6(a)(3) for  
21 deposit in the county general fund.

22 (i) The clerk of a circuit court shall semiannually distribute to the  
23 auditor of state for deposit in the state general fund one hundred  
24 percent (100%) of the following:

25 (1) The public defense administration fee collected under  
26 IC 33-37-5-21.2.

27 (2) The judicial salaries fees collected under IC 33-37-5-26.

28 (3) The DNA sample processing fees collected under  
29 IC 33-37-5-26.2.

30 (4) The court administration fees collected under IC 33-37-5-27.

31 (j) The clerk of a circuit court shall semiannually distribute to the  
32 auditor of state for deposit in the judicial branch insurance adjustment  
33 account established by IC 33-38-5-8.2 one hundred percent (100%) of  
34 the judicial insurance adjustment fee collected under IC 33-37-5-25.

35 (k) The proceeds of the service fee collected under  
36 IC 33-37-5-28(b)(1) or IC 33-37-5-28(b)(2) shall be distributed as  
37 follows:

38 (1) The clerk shall distribute one hundred percent (100%) of the  
39 service fees collected in a circuit, superior, county, or probate  
40 court to the county auditor for deposit in the county general fund.

41 (2) The clerk shall distribute one hundred percent (100%) of the  
42 service fees collected in a city or town court to the city or town

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- 1           fiscal officer for deposit in the city or town general fund.
- 2           (l) The proceeds of the garnishee service fee collected under
- 3           IC 33-37-5-28(b)(3) or IC 33-37-5-28(b)(4) shall be distributed as
- 4           follows:
- 5           (1) The clerk shall distribute one hundred percent (100%) of the
- 6           garnishee service fees collected in a circuit, superior, county, or
- 7           probate court to the county auditor for deposit in the county
- 8           general fund.
- 9           (2) The clerk shall distribute one hundred percent (100%) of the
- 10          garnishee service fees collected in a city or town court to the city
- 11          or town fiscal officer for deposit in the city or town general fund.
- 12          **(m) The clerk of a circuit court shall distribute monthly to the**
- 13          **auditor of state:**
- 14          **(1) the speeding violation fee collected under IC 33-37-5-30;**
- 15          **(2) the passenger restraint violation fee collected under**
- 16          **IC 33-37-5-31;**
- 17          **(3) a driving while a license is suspended fee under**
- 18          **IC 33-37-5-32;**
- 19          **(4) a driving while intoxicated and endangering a person fee**
- 20          **under IC 33-37-5-33;**
- 21          **(5) a disregard of stop sign fee under IC 33-37-5-34;**
- 22          **(6) a disregard of traffic signal fee under IC 33-37-5-35;**
- 23          **(7) a driving while intoxicated fee under IC 33-37-5-36;**
- 24          **(8) a disregard of traffic control device fee under**
- 25          **IC 33-37-5-37;**
- 26          **(9) a prior operating while intoxicated fee under**
- 27          **IC 33-37-5-38;**
- 28          **(10) a following too closely fee under IC 33-37-5-39;**
- 29          **(11) a reckless driving fee under IC 33-37-5-40;**
- 30          **(12) an unsafe lane movement fee under IC 33-37-5-41;**
- 31          **(13) a yield violation fee under IC 33-37-5-42;**
- 32          **(14) an improper turn at intersection fee under IC 33-37-5-43;**
- 33          **(15) a driving left of center fee under IC 33-37-5-44;**
- 34          **(16) an offense relating to controlled substances while using**
- 35          **a motor vehicle fee under IC 33-37-5-45;**
- 36          **(17) a passing in a no passing zone fee under IC 33-37-5-46;**
- 37          **(18) a driving on the wrong side of the road fee under**
- 38          **IC 33-37-5-47;**
- 39          **(19) a driving the wrong way on a one-way road fee under**
- 40          **IC 33-37-5-48;**
- 41          **(20) an improper passing fee under IC 33-37-5-49;**
- 42          **(21) an improper passing to the left of the center line fee**

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1            **under IC 33-37-5-50;**  
 2            **(22) an operating a vehicle with a controlled substance fee**  
 3            **under IC 33-37-5-51;**  
 4            **(23) an operating a vehicle while intoxicated resulting in**  
 5            **injury fee under IC 33-37-5-52; and**  
 6            **(24) a zero tolerance for individuals under the age of**  
 7            **twenty-one (21) who drive while intoxicated fee under**  
 8            **IC 33-37-5-53;**  
 9            **for deposit in the spinal cord and brain injury fund established by**  
 10           **IC 16-41-42.2-3.**  
 11            SECTION 29. IC 16-41-42-3, AS ADDED BY P.L.234-2007,  
 12            SECTION 47, IS REPEALED [EFFECTIVE JULY 1, 2008].

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