

Adopted	Rejected
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## COMMITTEE REPORT

YES:	7
NO:	0

### MR. SPEAKER:

*Your Committee on Judiciary, to which was referred House Bill 1269, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1           Page 1, between the enacting clause and line 1, begin a new
- 2           paragraph and insert:
- 3           "SECTION 1. IC 33-33-3-2 IS AMENDED TO READ AS
- 4           FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 2. (a) There are created
- 5           two (2) **three (3)** courts of record to be known as Bartholomew
- 6           superior court No. 1, ~~and~~ Bartholomew superior court No. 2, **and**
- 7           **Bartholomew superior court No. 3.**
- 8           (b) Each court is a standard superior court as described in
- 9           IC 33-29-1.
- 10          (c) Bartholomew County comprises the judicial district of each
- 11          court.
- 12          SECTION 2. IC 33-33-3-2.5 IS ADDED TO THE INDIANA CODE
- 13          AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 14          1, 2010]: **Sec. 2.5. (a) The Bartholomew circuit and superior courts**
- 15          **shall impose and collect an infraction judgment for each traffic**
- 16          **violation in Bartholomew County that is:**

- 1 (1) at least twenty dollars (\$20); and
- 2 (2) deposited in the state general fund.

3 (b) At the end of each fiscal year, the county auditor of  
 4 Bartholomew County and the state office of management and  
 5 budget shall determine:

- 6 (1) the amount of money deposited in the state general fund  
 7 under subsection (a)(2) that is equal to twenty dollars (\$20)  
 8 multiplied by the total number of infraction judgments  
 9 imposed and collected for each traffic violation in  
 10 Bartholomew County; and
- 11 (2) the amount of the salary paid by the state under  
 12 IC 33-38-5-6 to the judge of the Bartholomew superior court  
 13 No. 3;

14 during the previous fiscal year.

15 (c) If the county auditor of Bartholomew County and the state  
 16 office of management and budget determine under subsection (b)  
 17 that the amount of money deposited in the state general fund as  
 18 determined under subsection (b)(1) is less than the amount of the  
 19 salary paid by the state under IC 33-38-5-6 to the judge of the  
 20 Bartholomew superior court No. 3, the treasurer of Bartholomew  
 21 County shall transfer without appropriation to the auditor of state  
 22 for deposit in the state general fund an amount equal to the  
 23 difference between:

- 24 (1) the amount of money deposited in the state general fund as  
 25 determined under subsection (b)(1); and
- 26 (2) the amount of the salary paid by the state under  
 27 IC 33-23-5-11 to the judge;

28 during the previous fiscal year."

29 Page 3, delete lines 41 through 42.

30 Page 4, line 1, before "of" begin a new paragraph and insert:

31 "(b) If consensus is not possible under subsection (a), the  
 32 decision".

33 Page 4, line 1, delete "controls; and" and insert "controls".

34 Page 4, delete lines 2 through 3.

35 Page 6, after line 11, begin a new paragraph and insert:

36 "SECTION 5. [EFFECTIVE JULY 1, 2010] (a) Notwithstanding  
 37 IC 33-33-3-2, as amended by this act, and IC 33-33-3-2.5, as added  
 38 by this act, the Bartholomew superior court No. 3 is not established

1       **until July 1, 2011.**

2           **(b) The governor shall appoint a person under IC 3-13-6-1(f) to**  
3       **serve as the initial judge of the Bartholomew superior court No. 3**  
4       **established by IC 33-33-3-2, as amended by this act.**

5           **(c) The term of the initial judge appointed under subsection (b)**  
6       **begins July 1, 2011, and ends December 31, 2012.**

7           **(d) The initial election of the judge of the Bartholomew superior**  
8       **court No. 3 established by IC 33-33-3-2, as amended by this act, is**  
9       **the general election on November 6, 2012. The term of the initially**  
10       **elected judge begins January 1, 2013.**

11           **(e) This SECTION expires January 2, 2013."**

12       Renumber all SECTIONS consecutively.

(Reference is to HB 1269 as introduced.)

**and when so amended that said bill do pass.**

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Representative Lawson L