

# COMMITTEE REPORT

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## MADAM PRESIDENT:

The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill No. 301, 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:

- 1 Page 1, line 9, delete "Ten" and insert "**Six**".
- 2 Page 1, line 9, delete "\$10" and insert "**(\$6)**".
- 3 Page 1, line 10, delete "2015." and insert "**2013.**".
- 4 Page 1, line 11, delete "Seven" and insert "**Four**".
- 5 Page 1, line 11, delete "\$7" and insert "**(\$4)**".
- 6 Page 1, line 11, delete "2015." and insert "**2013.**".
- 7 Page 1, after line 11, begin a new paragraph and insert:
- 8 "SECTION 2. IC 33-37-5-21.2, AS AMENDED BY P.L.1-2006,
- 9 SECTION 509, IS AMENDED TO READ AS FOLLOWS
- 10 [EFFECTIVE JULY 1, 2011]: Sec. 21.2. (a) This subsection does not
- 11 apply to the following:
- 12 (1) A criminal proceeding.
- 13 (2) A proceeding to enforce a statute defining an infraction.
- 14 (3) A proceeding for an ordinance violation.
- 15 In each action filed in a court described in IC 33-37-1-1 and in each
- 16 small claims action in a court described in IC 33-34, the clerk shall
- 17 collect a public defense administration fee of ~~three~~ **five** dollars ~~(\$3)~~:
- 18 **(\$5)**.
- 19 (b) In each action in which a person is:
- 20 (1) convicted of an offense;
- 21 (2) required to pay a pretrial diversion fee;

- 1 (3) found to have committed an infraction; or  
 2 (4) found to have violated an ordinance;  
 3 the clerk shall collect a public defense administration fee of ~~three five~~  
 4 dollars ~~(\$3)~~: **(\$5)**.

5 SECTION 3. IC 33-37-7-9, AS AMENDED BY P.L.130-2009,  
 6 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2011]: Sec. 9. (a) On June 30 and on December 31 of each  
 8 year, the auditor of state shall transfer to the treasurer of state nine  
 9 million two hundred seventy-seven thousand twenty-three dollars  
 10 (\$9,277,023) for distribution under subsection (b).

11 (b) On June 30 and on December 31 of each year, the treasurer of  
 12 state shall deposit into:

- 13 (1) the family violence and victim assistance fund established by  
 14 IC 5-2-6.8-3 an amount equal to eight and three-hundredths  
 15 percent (8.03%);  
 16 (2) the Indiana judges' retirement fund established by  
 17 IC 33-38-6-12 an amount equal to thirty-eight and fifty-five  
 18 hundredths percent (38.55%);  
 19 (3) the law enforcement academy building fund established by  
 20 IC 5-2-1-13 an amount equal to two and fifty-six hundredths  
 21 percent (2.56%);  
 22 (4) the law enforcement training fund established by IC 5-2-1-13  
 23 an amount equal to ten and twenty-seven hundredths percent  
 24 (10.27%);  
 25 (5) the violent crime victims compensation fund established by  
 26 IC 5-2-6.1-40 an amount equal to eleven and ninety-three  
 27 hundredths percent (11.93%);  
 28 (6) the motor vehicle highway account an amount equal to  
 29 nineteen and forty-nine hundredths percent (19.49%);  
 30 (7) the fish and wildlife fund established by IC 14-22-3-2 an  
 31 amount equal to twenty-five hundredths percent (0.25%);  
 32 (8) the Indiana judicial center drug and alcohol programs fund  
 33 established by IC 12-23-14-17 for the administration,  
 34 certification, and support of alcohol and drug services programs  
 35 under IC 12-23-14 an amount equal to one and sixty-three  
 36 hundredths percent (1.63%); and  
 37 (9) the DNA sample processing fund established under  
 38 IC 10-13-6-9.5 for the funding of the collection, shipment,  
 39 analysis, and preservation of DNA samples and the conduct of a  
 40 DNA data base program under IC 10-13-6 an amount equal to  
 41 seven and twenty-nine hundredths percent (7.29%);  
 42 of the amount transferred by the auditor of state under subsection (a).

1 (c) On June 30 and on December 31 of each year, the auditor of  
2 state shall transfer to the treasurer of state for deposit into the public  
3 defense fund established under IC 33-40-6-1

4 (~~1~~) after June 30, 2004, and before July 1, 2005, one million  
5 seven hundred thousand dollars (\$1,700,000); and

6 (~~2~~) after June 30, 2005, two **three** million seven hundred  
7 thousand dollars (~~\$2,700,000~~). (**\$3,700,000**).".

8 Renumber all SECTIONS consecutively.)

(Reference is to SB 301 as introduced.)

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

Committee Vote: Yeas 10, Nays 1.

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**Senator Hershman, Chairperson**