



Reprinted
February 24, 2015

SENATE BILL No. 523

DIGEST OF SB 523 (Updated February 23, 2015 5:57 pm - DI 106)

Citations Affected: IC 33-34.

Synopsis: Marion County small claims. Establishes three small claims court districts within Marion County, each consisting of three township small claims courts. Provides that candidates for small claims court judge run at-large within each district, with the three candidates receiving the greatest number of votes within a district being elected. Establishes a procedure for assigning judges elected at-large within a district to a particular township small claims court, requires the judges to be full time judges, and fixes the judges' salary at 70% of the salary of the Marion County circuit court judge. Increases the small claims jurisdictional amount to \$8,000. Requires that two dollars of the township docket fee be transferred monthly to Decatur and Franklin township (each receiving one dollar). Makes conforming amendments.

Effective: Upon passage.

**Young R Michael, Merritt, Taylor,
Breux**

January 14, 2015, read first time and referred to Committee on Judiciary.
February 12, 2015, amended, reported favorably — Do Pass.
February 23, 2015, read second time, amended, ordered engrossed.

SB 523—LS 7327/DI 106



First Regular Session 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 523

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 33-34-1-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) There are
3 established township small claims courts in each county containing a
4 consolidated city.
5 (b) The name of each court shall be the "_____ Township of
6 Marion County Small Claims Court" (insert the name of the township
7 in the blank).
8 (c) **The township small claims courts are divided into the**
9 **following districts:**
10 (1) **The first district consists of Wayne Township, Decatur**
11 **Township, and Perry Township.**
12 (2) **The second district consists of Pike Township, Washington**
13 **Township, and Center Township.**
14 (3) **The third district consists of Lawrence Township, Warren**
15 **Township, and Franklin Township.**
16 SECTION 2. IC 33-34-1-6 IS AMENDED TO READ AS

SB 523—LS 7327/DI 106



1 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. ~~A division of the~~
 2 **Every** small claims court must be a full-time ~~division or a part-time~~
 3 ~~division as determined by the individual township boards following a~~
 4 ~~hearing conducted under section 7 of this chapter.~~ **court.**

5 SECTION 3. IC 33-34-1-7, AS AMENDED BY P.L.174-2006,
 6 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 UPON PASSAGE]: Sec. 7. **(a)** A hearing must be conducted to obtain
 8 evidence, opinions, advice, and suggestions from public officials and
 9 the general public concerning:

10 (1) whether a small claims court should be established or
 11 abolished in the township, if the township has a population of less
 12 than fifteen thousand (15,000) persons;

13 ~~(2) whether the small claims court should be full time or part~~
 14 ~~time;~~

15 ~~(3) (2)~~ the location of the small claims court courtroom and
 16 offices; and

17 ~~(4) (3)~~ other relevant matters.

18 **(b) A township must conduct a hearing before changing the**
 19 **location of the small claims court courtroom and offices.**

20 SECTION 4. IC 33-34-1-9, AS AMENDED BY P.L.174-2006,
 21 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 UPON PASSAGE]: Sec. 9. Not more than two (2) weeks after a
 23 hearing is conducted under section 7 of this chapter, the township
 24 board shall, after considering the evidence, opinions, advice, and
 25 suggestions presented at the hearing, enter an order concerning:

26 (1) whether a small claims court shall be established or abolished
 27 in the township if the township has a population of less than
 28 fifteen thousand (15,000) persons;

29 ~~(2) whether the small claims court if any, shall function full time~~
 30 ~~or part time;~~

31 ~~(3) (2)~~ the location of the small claims court courtroom and
 32 offices under IC 33-34-6-1; and

33 ~~(4) (3)~~ other relevant matters.

34 SECTION 5. IC 33-34-2-1, AS AMENDED BY P.L.174-2006,
 35 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 UPON PASSAGE]: Sec. 1. **(a)** A judge shall be elected at the general
 37 election every four (4) years by the registered voters residing within the
 38 **township district** in which the small claims court is located.

39 **(b) Each candidate for judge runs as an at-large candidate**
 40 **within the district.**

41 **(c) The three (3) candidates who receive the greatest number of**
 42 **votes of all candidates are elected.**



1 SECTION 6. IC 33-34-2-1.1 IS ADDED TO THE INDIANA CODE
 2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
 3 UPON PASSAGE]: Sec. 1.1. (a) **The three (3) judges elected within**
 4 **each small claims court division shall be assigned to a particular**
 5 **township small claims court within the division as follows:**

6 (1) **Before the January 1 following the election, the**
 7 **judges-elect shall meet to select which judge shall serve in**
 8 **which township small claims court. The affirmative votes of**
 9 **two (2) judges-elect are required to assign a judge to a**
 10 **particular township small claims court under this subdivision.**

11 (2) **If, before the January 1 following the election, one (1) or**
 12 **more judges-elect do not receive the affirmative votes of two**
 13 **(2) judges-elect for assignment to a particular township small**
 14 **claims court, the circuit court judge shall assign to a**
 15 **particular township small claims court those judges who did**
 16 **not receive the affirmative votes of two (2) judges-elect for**
 17 **assignment to a particular township small claims court.**

18 (b) **The assignment of a judge to a particular township small**
 19 **claims court runs until the judge's term expires.**

20 SECTION 7. IC 33-34-2-5 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) **The annual**
 22 **salary of a judge who serves full time must be in an amount determined**
 23 **by the township board of the township in which the small claims court**
 24 **is located: is equal to seventy percent (70%) of the minimum salary**
 25 **paid by the state to the Marion County circuit court judge.**

26 (b) **The salary of each judge who serves part time must be in an**
 27 **amount determined by the township board and approved by the**
 28 **city-county council.**

29 (c) (b) **The salary of a judge may not be reduced during the judge's**
 30 **term of office.**

31 (d) **At any other time, salaries of any full-time or part-time judge**
 32 **may be increased or decreased by the township board of the township**
 33 **in which the small claims court is located.**

34 SECTION 8. IC 33-34-2-6 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) **The annual**
 36 **salary of a judge shall be paid in twelve (12) equal monthly**
 37 **installments every two (2) weeks by the township trustee.**

38 (b) **The judge may not receive remuneration other than a salary set**
 39 **under section 5 of this chapter for the performance of the judge's**
 40 **official duties, except payments for performing marriage ceremonies.**

41 SECTION 9. IC 33-34-2-7 IS REPEALED [EFFECTIVE UPON
 42 PASSAGE]. Sec. 7. (a) **A judge serving part-time may participate in**



1 other gainful employment if the employment does not:

- 2 (1) interfere with the exercise of the judge's judicial office; or
 3 (2) involve any conflict of interest in the performance of the
 4 judge's judicial duties.

5 (b) A judge serving full time may practice law if the practice does
 6 not conflict in any way with the judge's official duties and does not:

- 7 (1) cause the judge to be unduly absent from the court; or
 8 (2) interfere with the ready and prompt disposal of the judge's
 9 judicial duties.

10 SECTION 10. IC 33-34-2-7.1 IS ADDED TO THE INDIANA
 11 CODE AS A NEW SECTION TO READ AS FOLLOWS
 12 [EFFECTIVE UPON PASSAGE]: **Sec. 7.1. All judges serve as**
 13 **full-time judges. A judge:**

14 (1) shall devote full time to judicial duties; and

15 (2) may not engage in the practice of law.

16 SECTION 11. IC 33-34-2-9 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) A vacation
 18 of one (1) month per year shall be provided for a ~~each~~ judge. ~~who~~
 19 ~~serves in a full-time capacity.~~

20 (b) The circuit court judge may authorize the appointment of a judge
 21 pro tempore to handle the judicial business of the vacationing judge, if
 22 the circuit court judge considers it necessary.

23 SECTION 12. IC 33-34-3-1 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) ~~Except for a~~
 25 ~~claim between landlord and tenant~~ A case within the jurisdiction of a
 26 small claims court may be:

- 27 (1) venued;
 28 (2) commenced; and
 29 (3) decided;

30 in any township small claims court within the ~~county~~ **district**.
 31 However, upon a motion for change of venue filed by the defendant
 32 within ten (10) days of service of the summons, the township small
 33 claims court shall determine in accordance with subsection (b) whether
 34 required venue lies with the court or with another small claims court in
 35 the county **or district** in which the small claims court action was filed.

36 (b) The venue determination to be made under subsection (a) must
 37 be made in the following order:

- 38 (1) In an action upon a debt or account, venue is in the **district**
 39 ~~township~~ where any defendant has consented to venue in a writing
 40 signed by the defendant.
 41 (2) Venue is in the ~~township~~ **district** where a transaction or
 42 occurrence giving rise to any part of the claim took place.



1 (3) Venue is in the ~~township district~~ (in a county of the small
 2 claims court) where the greater percentage of individual
 3 defendants included in the complaint resides, or, if there is not a
 4 greater percentage, the place where any individual named as a
 5 defendant:

6 (A) resides;

7 (B) owns real estate; or

8 (C) rents an apartment or real estate or where the principal
 9 office or place of business of any defendant is located.

10 (4) Venue is in the ~~township district~~ where the claim was filed if
 11 there is no other ~~township district~~ in the county in which the
 12 small claims court sits in which required venue lies.

13 (c) Venue of any claim between landlord and tenant must be in the
 14 ~~township district~~ where the real estate is located.

15 (d) If a written motion challenging venue is received by the small
 16 claims court, the court shall rule whether required venue lies in the
 17 ~~township district~~ of filing.

18 **(e) Except as provided in subsection (c), if venue is proper in a**
 19 **district, a person may file an action in any township small claims**
 20 **court within the district.**

21 SECTION 13. IC 33-34-3-2 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. The court has
 23 original and concurrent jurisdiction with the circuit and superior courts
 24 in all civil cases founded on contract or tort in which the debt or
 25 damage claimed does not exceed ~~six thousand dollars (\$6,000)~~, **eight**
 26 **thousand dollars (\$8,000)**, not including interest or attorney's fees.

27 SECTION 14. IC 33-34-3-3 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. The court has
 29 original and concurrent jurisdiction with the circuit and superior courts
 30 in possessory actions between landlord and tenant in which the past
 31 due rent at the time of filing does not exceed ~~six thousand dollars~~
 32 ~~(\$6,000)~~; **eight thousand dollars (\$8,000)**. The court also has original
 33 and concurrent jurisdiction with the circuit and superior courts in
 34 actions for the possession of property where the value of the property
 35 sought to be recovered does not exceed ~~six thousand dollars (\$6,000)~~;
 36 **eight thousand dollars (\$8,000)**. These jurisdictional limitations are
 37 not affected by interest and attorney's fees.

38 SECTION 15. IC 33-34-8-3, AS AMENDED BY P.L.136-2012,
 39 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 UPON PASSAGE]: Sec. 3. (a) Payment for all costs made as a result
 41 of proceedings in a small claims court shall be to the _____
 42 Township of Marion County Small Claims Court (with the name of the



1 township inserted). The court shall issue a receipt for all money
2 received on a form numbered serially in duplicate.

3 **(b) This subsection applies only to the Decatur and Franklin**
4 **township small claims courts.** All township docket fees and late fees
5 received by the court shall be paid to the township trustee at the close
6 of each month.

7 **(c) This subsection does not apply to the Decatur and Franklin**
8 **township small claims courts. This subsection applies to all other**
9 **township small claims courts in Marion County. One dollar (\$1) of**
10 **the township docket fee shall be paid to the Decatur Township**
11 **trustee at the end of each month. One dollar (\$1) of the township**
12 **docket fee shall be paid to the Franklin Township trustee at the**
13 **close of each month. The remaining township docket fees and late**
14 **fees received by the court shall be paid to the township trustee at**
15 **the close of each month.**

16 ~~(b)~~ **(d)** The court shall:

17 (1) semiannually distribute to the auditor of state:

18 (A) all automated record keeping fees (IC 33-37-5-21)
19 received by the court for deposit in the homeowner protection
20 unit account established by IC 4-6-12-9 and the state user fee
21 fund established under IC 33-37-9;

22 (B) all public defense administration fees collected by the
23 court under IC 33-37-5-21.2 for deposit in the state general
24 fund;

25 (C) sixty percent (60%) of all court administration fees
26 collected by the court under IC 33-37-5-27 for deposit in the
27 state general fund;

28 (D) all judicial insurance adjustment fees collected by the
29 court under IC 33-37-5-25 for deposit in the judicial branch
30 insurance adjustment account established by IC 33-38-5-8.2;

31 (E) seventy-five percent (75%) of all judicial salaries fees
32 collected by the court under IC 33-37-5-26 for deposit in the
33 state general fund; and

34 (F) one hundred percent (100%) of the pro bono legal services
35 fees collected before July 1, 2017, by the court under
36 IC 33-37-5-31; and

37 (2) distribute monthly to the county auditor all document storage
38 fees received by the court.

39 The remaining twenty-five percent (25%) of the judicial salaries fees
40 described in subdivision (1)(E) shall be deposited monthly in the
41 township general fund of the township in which the court is located.

42 The county auditor shall deposit fees distributed under subdivision (2)



1 into the clerk's record perpetuation fund under IC 33-37-5-2.
2 ~~(e)~~ (e) The court semiannually shall pay to the township trustee of
3 the township in which the court is located the remaining forty percent
4 (40%) of the court administration fees described under subsection
5 ~~(b)(1)(C)~~ (d)(1)(C) to fund the operations of the small claims court in
6 the trustee's township.
7 SECTION 16. **An emergency is declared for this act.**



COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 523, 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:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to SB 523 as introduced.)

STEELE, Chairperson

Committee Vote: Yeas 9, Nays 0.

SENATE MOTION

Madam President: I move that Senate Bill 523 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 33-34-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) There are established township small claims courts in each county containing a consolidated city.

(b) The name of each court shall be the "_____ Township of Marion County Small Claims Court" (insert the name of the township in the blank).

(c) The township small claims courts are divided into the following districts:

(1) The first district consists of Wayne Township, Decatur Township, and Perry Township.

(2) The second district consists of Pike Township, Washington Township, and Center Township.

(3) The third district consists of Lawrence Township, Warren Township, and Franklin Township.

SECTION 2. IC 33-34-1-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. ~~A division of the~~ **Every** small claims court must be a full-time ~~division or a part-time~~ **division as determined by the individual township boards following a hearing conducted under section 7 of this chapter: court.**

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SECTION 3. IC 33-34-1-7, AS AMENDED BY P.L.174-2006, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. **(a)** A hearing must be conducted to obtain evidence, opinions, advice, and suggestions from public officials and the general public concerning:

- (1) whether a small claims court should be established or abolished in the township, if the township has a population of less than fifteen thousand (15,000) persons;
- ~~(2) whether the small claims court should be full time or part time;~~
- ~~(3) (2)~~ the location of the small claims court courtroom and offices; and
- ~~(4) (3)~~ other relevant matters.

(b) A township must conduct a hearing before changing the location of the small claims court courtroom and offices.

SECTION 4. IC 33-34-1-9, AS AMENDED BY P.L.174-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. Not more than two (2) weeks after a hearing is conducted under section 7 of this chapter, the township board shall, after considering the evidence, opinions, advice, and suggestions presented at the hearing, enter an order concerning:

- (1) whether a small claims court shall be established or abolished in the township if the township has a population of less than fifteen thousand (15,000) persons;
- ~~(2) whether the small claims court if any, shall function full time or part time;~~
- ~~(3) (2)~~ the location of the small claims court courtroom and offices under IC 33-34-6-1; and
- ~~(4) (3)~~ other relevant matters.

SECTION 5. IC 33-34-2-1, AS AMENDED BY P.L.174-2006, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. **(a)** A judge shall be elected at the general election every four (4) years by the registered voters residing within the township district in which the small claims court is located.

(b) Each candidate for judge runs as an at-large candidate within the district.

(c) The three (3) candidates who receive the greatest number of votes of all candidates are elected.

SECTION 6. IC 33-34-2-1.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.1. **(a) The three (3) judges elected within each small claims court division shall be assigned to a particular**



township small claims court within the division as follows:

(1) Before the January 1 following the election, the judges-elect shall meet to select which judge shall serve in which township small claims court. The affirmative votes of two (2) judges-elect are required to assign a judge to a particular township small claims court under this subdivision.

(2) If, before the January 1 following the election, one (1) or more judges-elect do not receive the affirmative votes of two (2) judges-elect for assignment to a particular township small claims court, the circuit court judge shall assign to a particular township small claims court those judges who did not receive the affirmative votes of two (2) judges-elect for assignment to a particular township small claims court.

(b) The assignment of a judge to a particular township small claims court runs until the judge's term expires.

SECTION 7. IC 33-34-2-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The annual salary of a judge who serves full time must be in an amount determined by the township board of the township in which the small claims court is located: is equal to seventy percent (70%) of the minimum salary paid by the state to the Marion County circuit court judge.

(b) The salary of each judge who serves part time must be in an amount determined by the township board and approved by the city-county council.

(c) (b) The salary of a judge may not be reduced during the judge's term of office.

(d) At any other time, salaries of any full-time or part-time judge may be increased or decreased by the township board of the township in which the small claims court is located.

SECTION 8. IC 33-34-2-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) The annual salary of a judge shall be paid in ~~twelve (12)~~ equal monthly installments every two (2) weeks by the township trustee.

(b) The judge may not receive remuneration other than a salary set under section 5 of this chapter for the performance of the judge's official duties. ~~except payments for performing marriage ceremonies.~~

SECTION 9. IC 33-34-2-7 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 7. (a) A judge serving part-time may participate in other gainful employment if the employment does not:

- (1) interfere with the exercise of the judge's judicial office; or
- (2) involve any conflict of interest in the performance of the judge's judicial duties.



(b) A judge serving full time may practice law if the practice does not conflict in any way with the judge's official duties and does not:

- (1) cause the judge to be unduly absent from the court; or
- (2) interfere with the ready and prompt disposal of the judge's judicial duties.

SECTION 10. IC 33-34-2-7.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7.1. All judges serve as full-time judges. A judge:**

- (1) shall devote full time to judicial duties; and**
- (2) may not engage in the practice of law.**

SECTION 11. IC 33-34-2-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) A vacation of one (1) month per year shall be provided for a **each** judge. ~~who serves in a full-time capacity:~~

(b) The circuit court judge may authorize the appointment of a judge pro tempore to handle the judicial business of the vacationing judge, if the circuit court judge considers it necessary."

Page 1, line 2, strike "Except for a".

Page 1, line 3, strike "claim between landlord and tenant".

Page 1, line 3, delete "or an action to collect a debt, a" and insert "A".

Page 1, line 8, strike "county." and insert "**district**".

Page 1, line 12, after "county" insert "**or district**".

Page 1, line 16, reset in roman "in the".

Page 1, line 16, after "the" insert "**district**".

Page 2, reset in roman line 1.

Page 2, line 2, reset in roman "by the defendant".

Page 2, line 2, delete "determined under section 2.5 of this chapter".

Page 2, line 3, strike "township" and insert "**district**".

Page 2, line 5, strike "township" and insert "**district**".

Page 2, line 13, strike "township" and insert "**district**".

Page 2, line 14, strike "township" and insert "**district**".

Page 2, line 17, strike "township" and insert "**district**".

Page 2, line 20, strike "township" and insert "**district**".

Page 2, between lines 20 and 21, begin a new paragraph and insert:

"(e) Except as provided in subsection (c), if venue is proper in a district, a person may file an action in any township small claims court within the district."

Page 2, line 22, delete "Except as".

Page 2, line 23, delete "provided in section 2.5 of this chapter, the" and insert "The".



Page 2, line 26, strike "six thousand dollars (\$6,000)," and insert **"eight thousand dollars (\$8,000),"**

Page 2, delete lines 28 through 42.

Delete page 3.

Page 4, delete lines 1 through 38, begin a new paragraph and insert:

"SECTION 14. IC 33-34-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. The court has original and concurrent jurisdiction with the circuit and superior courts in possessory actions between landlord and tenant in which the past due rent at the time of filing does not exceed ~~six thousand dollars (\$6,000)~~ **eight thousand dollars (\$8,000)**. The court also has original and concurrent jurisdiction with the circuit and superior courts in actions for the possession of property where the value of the property sought to be recovered does not exceed ~~six thousand dollars (\$6,000)~~ **eight thousand dollars (\$8,000)**. These jurisdictional limitations are not affected by interest and attorney's fees.

SECTION 15. IC 33-34-8-3, AS AMENDED BY P.L.136-2012, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) Payment for all costs made as a result of proceedings in a small claims court shall be to the _____ Township of Marion County Small Claims Court (with the name of the township inserted). The court shall issue a receipt for all money received on a form numbered serially in duplicate.

(b) This subsection applies only to the Decatur and Franklin township small claims courts. All township docket fees and late fees received by the court shall be paid to the township trustee at the close of each month.

(c) This subsection does not apply to the Decatur and Franklin township small claims courts. This subsection applies to all other township small claims courts in Marion County. One dollar (\$1) of the township docket fee shall be paid to the Decatur Township trustee at the end of each month. One dollar (\$1) of the township docket fee shall be paid to the Franklin Township trustee at the close of each month. The remaining township docket fees and late fees received by the court shall be paid to the township trustee at the close of each month.

~~(b)~~ **(d)** The court shall:

(1) semiannually distribute to the auditor of state:

(A) all automated record keeping fees (IC 33-37-5-21) received by the court for deposit in the homeowner protection unit account established by IC 4-6-12-9 and the state user fee fund established under IC 33-37-9;



(B) all public defense administration fees collected by the court under IC 33-37-5-21.2 for deposit in the state general fund;

(C) sixty percent (60%) of all court administration fees collected by the court under IC 33-37-5-27 for deposit in the state general fund;

(D) all judicial insurance adjustment fees collected by the court under IC 33-37-5-25 for deposit in the judicial branch insurance adjustment account established by IC 33-38-5-8.2;

(E) seventy-five percent (75%) of all judicial salaries fees collected by the court under IC 33-37-5-26 for deposit in the state general fund; and

(F) one hundred percent (100%) of the pro bono legal services fees collected before July 1, 2017, by the court under IC 33-37-5-31; and

(2) distribute monthly to the county auditor all document storage fees received by the court.

The remaining twenty-five percent (25%) of the judicial salaries fees described in subdivision (1)(E) shall be deposited monthly in the township general fund of the township in which the court is located. The county auditor shall deposit fees distributed under subdivision (2) into the clerk's record perpetuation fund under IC 33-37-5-2.

~~(c)~~ **(e)** The court semiannually shall pay to the township trustee of the township in which the court is located the remaining forty percent (40%) of the court administration fees described under subsection ~~(b)(1)(C)~~ **(d)(1)(C)** to fund the operations of the small claims court in the trustee's township."

Renumber all SECTIONS consecutively.

(Reference is to SB 523 as printed February 13, 2015.)

YOUNG R MICHAEL

