
HOUSE BILL No. 1344

AM134403 has been incorporated into introduced printing.

Synopsis: Funding of prosecuting attorney operations.

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Second Regular Session of the 124th General Assembly (2026)

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 2025 Regular Session of the General Assembly.

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HOUSE BILL No. 1344

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 33-34-8-1, AS AMENDED BY P.L.213-2025,
- 2 SECTION 301, IS AMENDED TO READ AS FOLLOWS
- 3 [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The following fees and costs
- 4 apply to cases in the small claims court:
- 5 (1) A township docket fee of five dollars (\$5) plus forty-five
- 6 percent (45%) of the infraction or ordinance violation costs fee
- 7 under IC 33-37-4-2.
- 8 (2) The bailiff's service of process by registered or certified mail
- 9 fee of fifteen dollars (\$15) for each service.
- 10 (3) The cost for the personal service of process by the bailiff or
- 11 other process server of fifteen dollars (\$15) for each service.
- 12 (4) Witness fees, if any, in the amount provided by
- 13 IC 33-37-10-3 to be taxed and charged in the circuit court.
- 14 (5) A redocketing fee, if any, of five dollars (\$5).
- 15 (6) A document storage fee under IC 33-37-5-20.



- 1 (7) An automated record keeping fee under IC 33-37-5-21.
- 2 (8) A late fee, if any, under IC 33-37-5-22.
- 3 (9) A public defense administration fee under IC 33-37-5-21.2.
- 4 (10) A judicial insurance adjustment fee under IC 33-37-5-25.
- 5 (11) A judicial salaries fee under IC 33-37-5-26.
- 6 (12) A court administration fee under IC 33-37-5-27.
- 7 (13) A pro bono legal services fee under IC 33-37-5-31.
- 8 (14) A sheriff's service of process fee under IC 33-37-5-15 for
- 9 each service of process performed outside Marion County.
- 10 (15) A small claims service fee of twenty-six dollars (\$26) under
- 11 IC 33-37-5-35.
- 12 **(16) A prosecuting attorney compensation fee under**
- 13 **IC 33-37-5-37.**

14 The township docket fee and the cost for the initial service of process
 15 shall be paid at the institution of a case. The cost of service after the
 16 initial service shall be assessed and paid after service has been made.
 17 The cost of witness fees shall be paid before the witnesses are called.

18 (b) If the amount of the township docket fee computed under
 19 subsection (a)(1) is not equal to a whole number, the amount shall be
 20 rounded to the next highest whole number.

21 SECTION 2. IC 33-34-8-3, AS AMENDED BY P.L.213-2025,
 22 SECTION 302, IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) Payment for all costs made as
 24 a result of proceedings in a small claims court shall be to the _____
 25 Township of Marion County Small Claims Court (with the name of the
 26 township inserted). The court shall issue a receipt for all money
 27 received on a form numbered serially in duplicate.

28 (b) The court shall distribute collected fees according to the
 29 following:

- 30 (1) Distribute semiannually to the state comptroller:
 - 31 (A) all automated record keeping fees (IC 33-37-5-21)
 - 32 received by the court for deposit in the homeowner
 - 33 protection unit account established by IC 4-6-12-9 and the
 - 34 state user fee fund established under IC 33-37-9;
 - 35 (B) all public defense administration fees collected by the
 - 36 court under IC 33-37-5-21.2 for deposit in the state general
 - 37 fund;
 - 38 (C) sixty percent (60%) of all court administration fees
 - 39 collected by the court under IC 33-37-5-27 for deposit in the
 - 40 state general fund;
 - 41 (D) all judicial insurance adjustment fees collected by the

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1 court under IC 33-37-5-25 for deposit in the state general
 2 fund;
 3 (E) seventy-five percent (75%) of all judicial salaries fees
 4 collected by the court under IC 33-37-5-26 for deposit in the
 5 state general fund; ~~and~~
 6 (F) one hundred percent (100%) of the pro bono legal
 7 services fees collected by the court under IC 33-37-5-31 for
 8 deposit in the pro bono legal services fund established by
 9 IC 33-37-5-34; **and**
 10 **(G) all prosecuting attorney compensation fees collected**
 11 **by the court under IC 33-37-5-37 for deposit in the state**
 12 **general fund.**
 13 (2) Distribute monthly to the county auditor all document storage
 14 fees received by the court. The county auditor shall deposit the
 15 document storage fees received under this subdivision into the
 16 clerk's record perpetuation fund under IC 33-37-5-2.
 17 (3) Distribute the following fees monthly to the county auditor
 18 for deposit in the small claims fund established under
 19 IC 33-37-5-36:
 20 (A) The remaining twenty-five percent (25%) of the judicial
 21 salaries fees described in subdivision (1)(E).
 22 (B) Township docket fees and late fees.
 23 (C) Small claims service fee received under IC 33-37-5-35.
 24 (D) The remaining forty percent (40%) of the court
 25 administration fees described under subdivision (1)(C).
 26 SECTION 3. IC 33-37-4-1, AS AMENDED BY P.L.120-2023,
 27 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2026]: Sec. 1. (a) For each action that results in a felony
 29 conviction under IC 35-50-2 or a misdemeanor conviction under
 30 IC 35-50-3, the clerk shall collect from the defendant a criminal costs
 31 fee of one hundred twenty dollars (\$120).
 32 (b) In addition to the criminal costs fee collected under this
 33 section, the clerk shall collect from the defendant the following fees if
 34 they are required under IC 33-37-5:
 35 (1) A document fee (IC 33-37-5-1, IC 33-37-5-3, or
 36 IC 33-37-5-4).
 37 (2) A marijuana eradication program fee (IC 33-37-5-7).
 38 (3) An alcohol and drug services program fee (IC 33-37-5-8(b)).
 39 (4) A law enforcement continuing education program fee
 40 (IC 33-37-5-8(c)).
 41 (5) A drug abuse, prosecution, interdiction, and correction fee

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- 1 (IC 33-37-5-9).
 2 (6) An alcohol and drug countermeasures fee (IC 33-37-5-10).
 3 (7) A child abuse prevention fee (IC 33-37-5-12).
 4 (8) A domestic violence prevention and treatment fee
 5 (IC 33-37-5-13).
 6 (9) A highway worksite fee (IC 33-37-5-14).
 7 (10) A deferred prosecution fee (IC 33-37-5-17).
 8 (11) A document storage fee (IC 33-37-5-20).
 9 (12) An automated record keeping fee (IC 33-37-5-21).
 10 (13) A late payment fee (IC 33-37-5-22).
 11 (14) A sexual assault victims assistance fee (IC 33-37-5-23).
 12 (15) A public defense administration fee (IC 33-37-5-21.2).
 13 (16) A judicial insurance adjustment fee (IC 33-37-5-25).
 14 (17) A judicial salaries fee (IC 33-37-5-26).
 15 (18) A court administration fee (IC 33-37-5-27).
 16 (19) A DNA sample processing fee (IC 33-37-5-26.2).
 17 **(20) A prosecuting attorney compensation fee**
 18 **(IC 33-37-5-37).**
 19 (c) Instead of the criminal costs fee prescribed by this section,
 20 except for the automated record keeping fee (IC 33-37-5-21), the clerk
 21 shall collect a pretrial diversion program fee if an agreement between
 22 the prosecuting attorney and the accused person entered into under
 23 IC 33-39-1-8 requires payment of those fees by the accused person.
 24 The pretrial diversion program fee is:
 25 (1) an initial user's fee of fifty dollars (\$50) for a misdemeanor
 26 offense;
 27 (2) an initial user's fee of seventy-five dollars (\$75) for a felony
 28 offense;
 29 (3) a monthly user's fee of twenty dollars (\$20) for each month
 30 that the person remains in the pretrial diversion program; and
 31 (4) any additional program fee or cost that is:
 32 (A) reasonably related to the person's rehabilitation; and
 33 (B) approved by the court.
 34 A monthly user fee may not be collected beyond the maximum length
 35 of the possible sentence.
 36 (d) The clerk shall transfer to the county auditor or city or town
 37 fiscal officer the following fees, not later than thirty (30) days after the
 38 fees are collected:
 39 (1) The pretrial diversion fee.
 40 (2) The marijuana eradication program fee.
 41 (3) The alcohol and drug services program fee.

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1 (4) The law enforcement continuing education program fee.
2 The auditor or fiscal officer shall deposit fees transferred under this
3 subsection in the appropriate user fee fund established under
4 IC 33-37-8.

5 (e) Unless otherwise directed by a court, if a clerk collects only
6 part of a criminal costs fee from a defendant under this section, the
7 clerk shall distribute the partial payment of the criminal costs fee as
8 follows:

9 (1) The clerk shall apply the partial payment to general court
10 costs.

11 (2) If there is money remaining after the partial payment is
12 applied to general court costs under subdivision (1), the clerk
13 shall distribute the remainder of the partial payment for deposit
14 in the appropriate county user fee fund.

15 (3) If there is money remaining after distribution under
16 subdivision (2), the clerk shall distribute the remainder of the
17 partial payment for deposit in the state user fee fund.

18 (4) If there is money remaining after distribution under
19 subdivision (3), the clerk shall distribute the remainder of the
20 partial payment to any other applicable user fee fund.

21 (5) If there is money remaining after distribution under
22 subdivision (4), the clerk shall apply the remainder of the partial
23 payment to any outstanding fines owed by the defendant.

24 SECTION 4. IC 33-37-4-2, AS AMENDED BY P.L.120-2023,
25 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2026]: Sec. 2. (a) Except as provided in subsections (d) and
27 (e), for each action that results in a judgment:

28 (1) for a violation constituting an infraction; or

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

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

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

36 (1) A document fee (IC 33-37-5-1, IC 33-37-5-3, or
37 IC 33-37-5-4).

38 (2) An alcohol and drug services program fee (IC 33-37-5-8(b)).

39 (3) A law enforcement continuing education program fee
40 (IC 33-37-5-8(c)).

41 (4) An alcohol and drug countermeasures fee (IC 33-37-5-10).

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- 1 (5) A highway worksite fee (IC 33-37-5-14).
 2 (6) A deferred prosecution fee (IC 33-37-5-17).
 3 (7) A jury fee (IC 33-37-5-19).
 4 (8) A document storage fee (IC 33-37-5-20).
 5 (9) An automated record keeping fee (IC 33-37-5-21).
 6 (10) A late payment fee (IC 33-37-5-22).
 7 (11) A public defense administration fee (IC 33-37-5-21.2).
 8 (12) A judicial insurance adjustment fee (IC 33-37-5-25).
 9 (13) A judicial salaries fee (IC 33-37-5-26).
 10 (14) A court administration fee (IC 33-37-5-27).
 11 (15) A DNA sample processing fee (IC 33-37-5-26.2).
 12 **(16) A prosecuting attorney compensation fee**
 13 **(IC 33-37-5-37).**
 14 (c) The clerk shall transfer to the county auditor or fiscal officer
 15 of the municipal corporation the following fees, not later than thirty
 16 (30) days after the fees are collected:
 17 (1) The alcohol and drug services program fee (IC 33-37-5-8(b)).
 18 (2) The law enforcement continuing education program fee
 19 (IC 33-37-5-8(c)).
 20 (3) The deferral program fee (subsection (e)).
 21 The auditor or fiscal officer shall deposit the fees in the user fee fund
 22 established under IC 33-37-8.
 23 (d) The defendant is not liable for any ordinance violation costs
 24 fee in an action if all the following apply:
 25 (1) The defendant was charged with an ordinance violation
 26 subject to IC 33-36.
 27 (2) The defendant denied the violation under IC 33-36-3.
 28 (3) Proceedings in court against the defendant were initiated
 29 under IC 34-28-5 (or IC 34-4-32 before its repeal).
 30 (4) The defendant was tried and the court entered judgment for
 31 the defendant for the violation.
 32 (e) Instead of the infraction or ordinance violation costs fee
 33 prescribed by subsection (a), except for the automated record keeping
 34 fee (IC 33-37-5-21), the clerk shall collect a deferral program fee if an
 35 agreement between a prosecuting attorney or an attorney for a
 36 municipal corporation and the person charged with a violation entered
 37 into under IC 34-28-5-1 (or IC 34-4-32-1 before its repeal) requires
 38 payment of those fees by the person charged with the violation. The
 39 deferral program fee is:
 40 (1) an initial user's fee not to exceed fifty-two dollars (\$52); and
 41 (2) a monthly user's fee not to exceed ten dollars (\$10) for each

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1 month the person remains in the deferral program.

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

5 SECTION 5. IC 33-37-4-3, AS AMENDED BY P.L.85-2017,
6 SECTION 110, IS AMENDED TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) The clerk shall collect a
8 juvenile costs fee of one hundred twenty dollars (\$120) for each action
9 filed under any of the following:

- 10 (1) IC 31-34 (children in need of services).
11 (2) IC 31-37 (delinquent children).
12 (3) IC 31-14 (paternity).

13 (b) In addition to the juvenile costs fee collected under this
14 section, the clerk shall collect the following fees, if they are required
15 under IC 33-37-5:

- 16 (1) A document fee (IC 33-37-5-1, IC 33-37-5-3, or
17 IC 33-37-5-4).
18 (2) A marijuana eradication program fee (IC 33-37-5-7).
19 (3) An alcohol and drug services program fee (IC 33-37-5-8(b)).
20 (4) A law enforcement continuing education program fee
21 (IC 33-37-5-8(c)).
22 (5) An alcohol and drug countermeasures fee (IC 33-37-5-10).
23 (6) A document storage fee (IC 33-37-5-20).
24 (7) An automated record keeping fee (IC 33-37-5-21).
25 (8) A late payment fee (IC 33-37-5-22).
26 (9) A public defense administration fee (IC 33-37-5-21.2).
27 (10) A judicial insurance adjustment fee (IC 33-37-5-25).
28 (11) A judicial salaries fee (IC 33-37-5-26).
29 (12) A court administration fee (IC 33-37-5-27).
30 (13) A DNA sample processing fee (IC 33-37-5-26.2).
31 **(14) A prosecuting attorney compensation fee**
32 **(IC 33-37-5-37).**

33 (c) The clerk shall transfer to the county auditor or city or town
34 fiscal officer the following fees not later than thirty (30) days after they
35 are collected:

- 36 (1) The marijuana eradication program fee (IC 33-37-5-7).
37 (2) The alcohol and drug services program fee (IC 33-37-5-8(b)).
38 (3) The law enforcement continuing education program fee
39 (IC 33-37-5-8(c)).

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

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1 SECTION 6. IC 33-37-4-4, AS AMENDED BY P.L.106-2025,
 2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2026]: Sec. 4. (a) The clerk shall collect a civil costs fee of
 4 one hundred dollars (\$100) from a party filing a civil action. This
 5 subsection does not apply to the following civil actions:

6 (1) Proceedings to enforce a statute defining an infraction under
 7 IC 34-28-5 (or IC 34-4-32 before its repeal).

8 (2) Proceedings to enforce an ordinance under IC 34-28-5 (or
 9 IC 34-4-32 before its repeal).

10 (3) Proceedings in juvenile court under IC 31-34 or IC 31-37.

11 (4) Proceedings in paternity under IC 31-14.

12 (5) Proceedings in small claims court under IC 33-34.

13 (6) Proceedings in actions described in section 7 of this chapter.

14 (b) In addition to the civil costs fee collected under this section,
 15 the clerk shall collect the following fees, if they are required under
 16 IC 33-37-5:

17 (1) A document fee (IC 33-37-5-1, IC 33-37-5-3, or
 18 IC 33-37-5-4).

19 (2) A support and maintenance fee (IC 33-37-5-6).

20 (3) A document storage fee (IC 33-37-5-20).

21 (4) An automated record keeping fee (IC 33-37-5-21).

22 (5) A public defense administration fee (IC 33-37-5-21.2).

23 (6) A judicial insurance adjustment fee (IC 33-37-5-25).

24 (7) A judicial salaries fee (IC 33-37-5-26).

25 (8) A court administration fee (IC 33-37-5-27).

26 (9) A service fee (IC 33-37-5-28(b)(1) or IC 33-37-5-28(b)(2)).

27 (10) A garnishee service fee (IC 33-37-5-28(b)(3) or
 28 IC 33-37-5-28(b)(4)).

29 (11) For a mortgage foreclosure action, a mortgage foreclosure
 30 counseling and education fee (IC 33-37-5-33) (before its
 31 expiration on July 1, 2017).

32 (12) A pro bono legal services fee (IC 33-37-5-31).

33 (13) A jury fee (IC 33-37-5-19.5).

34 **(14) A prosecuting attorney compensation fee**
 35 **(IC 33-37-5-37).**

36 SECTION 7. IC 33-37-4-6, AS AMENDED BY P.L.106-2025,
 37 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2026]: Sec. 6. (a) For each small claims action, the clerk shall
 39 collect the following fees:

40 (1) From the party filing the action:

41 (A) a small claims costs fee of thirty-five dollars (\$35);

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1 (B) a small claims service fee of ten dollars (\$10) for each
2 named defendant that is not a garnishee defendant; and
3 (C) if the party has named more than three (3) garnishees or
4 garnishee defendants, a small claims garnishee service fee
5 of ten dollars (\$10) for each garnishee or garnishee
6 defendant in excess of three (3).

7 (2) From any party adding a defendant that is not a garnishee
8 defendant, a small claims service fee of ten dollars (\$10) for
9 each defendant that is not a garnishee defendant added in the
10 action.

11 (3) From any party adding a garnishee or garnishee defendant, a
12 small claims garnishee service fee of ten dollars (\$10) for each
13 garnishee or garnishee defendant added to the action. However,
14 a clerk may not collect a small claims garnishee service fee for
15 the first three (3) garnishees named in the action.

16 However, a clerk may not collect a small claims costs fee, small claims
17 service fee, or small claims garnishee service fee for a small claims
18 action filed by or on behalf of the attorney general.

19 (b) A clerk may not collect a fee under subsection (a)(1)(B),
20 (a)(1)(C), (a)(2), or (a)(3) for a small claims action filed through the
21 Indiana electronic filing system adopted by the Indiana supreme court.

22 (c) In addition to a small claims costs fee, small claims service fee,
23 and small claims garnishee service fee collected under this section, the
24 clerk shall collect the following fees, if they are required under
25 IC 33-37-5:

- 26 (1) A document fee (IC 33-37-5-1, IC 33-37-5-3, or
- 27 IC 33-37-5-4).
- 28 (2) A document storage fee (IC 33-37-5-20).
- 29 (3) An automated record keeping fee (IC 33-37-5-21).
- 30 (4) A public defense administration fee (IC 33-37-5-21.2).
- 31 (5) A judicial insurance adjustment fee (IC 33-37-5-25).
- 32 (6) A judicial salaries fee (IC 33-37-5-26).
- 33 (7) A court administration fee (IC 33-37-5-27).
- 34 (8) A pro bono legal services fee (IC 33-37-5-31).

35 **(9) A prosecuting attorney compensation fee (IC 33-37-5-37).**

36 SECTION 8. IC 33-37-4-7, AS AMENDED BY P.L.106-2025,
37 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2026]: Sec. 7. (a) Except as provided under subsection (c), the
39 clerk shall collect from the party filing the action a probate costs fee of
40 one hundred twenty dollars (\$120) for each action filed under any of
41 the following:

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- 1 (1) IC 29 (probate).
 2 (2) IC 30 (trusts and fiduciaries).
 3 (b) In addition to the probate costs fee collected under subsection
 4 (a), the clerk shall collect from the party filing the action the following
 5 fees, if they are required under IC 33-37-5:
 6 (1) A document fee (IC 33-37-5-1, IC 33-37-5-3, or
 7 IC 33-37-5-4).
 8 (2) A document storage fee (IC 33-37-5-20).
 9 (3) An automated record keeping fee (IC 33-37-5-21).
 10 (4) A public defense administration fee (IC 33-37-5-21.2).
 11 (5) A judicial insurance adjustment fee (IC 33-37-5-25).
 12 (6) A judicial salaries fee (IC 33-37-5-26).
 13 (7) A court administration fee (IC 33-37-5-27).
 14 (8) A pro bono legal services fee (IC 33-37-5-31).
 15 **(9) A prosecuting attorney compensation fee (IC 33-37-5-37).**
 16 (c) A clerk may not collect a court costs fee for the filing of the
 17 following exempted actions:
 18 (1) Petition to open a safety deposit box.
 19 (2) Filing an inheritance tax return, unless proceedings other
 20 than the court's approval of the return become necessary.
 21 (3) Offering a will for probate under IC 29-1-7, unless
 22 proceedings other than admitting the will to probate become
 23 necessary.
 24 (4) Filing a closing statement for an estate described in
 25 IC 29-1-8-4.
 26 SECTION 9. IC 33-37-5-37 IS ADDED TO THE INDIANA
 27 CODE AS A NEW SECTION TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2026]: **Sec. 37. (a) This section does not apply**
 29 **to a proceeding involving a child alleged to be a delinquent child.**
 30 **(b) This subsection does not apply to the following:**
 31 **(1) A criminal proceeding.**
 32 **(2) A proceeding to enforce a statute defining an infraction.**
 33 **(3) A proceeding for an ordinance violation.**
 34 **In each action filed in a court described in IC 33-37-1-1 and in each**
 35 **small claims action in a court described in IC 33-34, the clerk shall**
 36 **collect a prosecuting attorney compensation fee of ten dollars**
 37 **(\$10).**
 38 **(c) In each action in which a person is:**
 39 **(1) convicted of an offense;**
 40 **(2) required to pay a pretrial diversion fee; or**
 41 **(3) required to pay a deferral fee;**
 42 **the clerk shall collect a prosecuting attorney compensation fee of**

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1 **fifty dollars (\$50).**
2 SECTION 10. IC 33-37-7-2, AS AMENDED BY P.L.106-2025,
3 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2026]: Sec. 2. (a) The clerk of a circuit court shall distribute
5 semiannually to the state comptroller as the state share for deposit in
6 the homeowner protection unit account established by IC 4-6-12-9 one
7 hundred percent (100%) of the automated record keeping fees collected
8 under IC 33-37-5-21 with respect to actions resulting in the accused
9 person entering into a pretrial diversion program agreement under
10 IC 33-39-1-8 or a deferral program agreement under IC 34-28-5-1 and
11 for deposit in the state general fund seventy percent (70%) of the
12 amount of fees collected under the following:
13 (1) IC 33-37-4-1(a) (criminal costs fees).
14 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).
15 (3) IC 33-37-4-3(a) (juvenile costs fees).
16 (4) IC 33-37-4-4(a) (civil costs fees).
17 (5) IC 33-37-4-6(a)(1)(A) (small claims costs fees).
18 (6) IC 33-37-4-7(a) (probate costs fees).
19 (7) IC 33-37-5-17 (deferred prosecution fees).
20 (b) The clerk of a circuit court shall distribute semiannually to the
21 state comptroller for deposit in the state user fee fund established in
22 IC 33-37-9-2 the following:
23 (1) Twenty-five percent (25%) of the drug abuse, prosecution,
24 interdiction, and correction fees collected under
25 IC 33-37-4-1(b)(5).
26 (2) Twenty-five percent (25%) of the alcohol and drug
27 countermeasures fees collected under IC 33-37-4-1(b)(6),
28 IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).
29 (3) One hundred percent (100%) of the child abuse prevention
30 fees collected under IC 33-37-4-1(b)(7).
31 (4) One hundred percent (100%) of the domestic violence
32 prevention and treatment fees collected under
33 IC 33-37-4-1(b)(8).
34 (5) One hundred percent (100%) of the highway worksite fees
35 collected under IC 33-37-4-1(b)(9) and IC 33-37-4-2(b)(5).
36 (6) Seventy-five percent (75%) of the safe schools fee collected
37 under IC 33-37-5-18.
38 (7) One hundred percent (100%) of the automated record
39 keeping fee collected under IC 33-37-5-21 not distributed under
40 subsection (a).
41 (c) The clerk of a circuit court shall distribute monthly to the

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1 county auditor the following:

2 (1) Seventy-five percent (75%) of the drug abuse, prosecution,

3 interdiction, and correction fees collected under

4 IC 33-37-4-1(b)(5).

5 (2) Seventy-five percent (75%) of the alcohol and drug

6 countermeasures fees collected under IC 33-37-4-1(b)(6),

7 IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).

8 The county auditor shall deposit fees distributed by a clerk under this

9 subsection into the county drug free community fund established under

10 IC 5-2-11.

11 (d) The clerk of a circuit court shall distribute monthly to the

12 county auditor one hundred percent (100%) of the late payment fees

13 collected under IC 33-37-5-22. The county auditor shall deposit fees

14 distributed by a clerk under this subsection as follows:

15 (1) If directed to do so by an ordinance adopted by the county

16 fiscal body, the county auditor shall deposit forty percent (40%)

17 of the fees in the clerk's record perpetuation fund established

18 under IC 33-37-5-2 and sixty percent (60%) of the fees in the

19 county general fund.

20 (2) If the county fiscal body has not adopted an ordinance

21 described in subdivision (1), the county auditor shall deposit all

22 the fees in the county general fund.

23 (e) The clerk of the circuit court shall distribute semiannually to

24 the state comptroller for deposit in the sexual assault victims assistance

25 fund established by IC 5-2-6-23(d) one hundred percent (100%) of the

26 sexual assault victims assistance fees collected under IC 33-37-5-23.

27 (f) The clerk of a circuit court shall distribute monthly to the

28 county auditor the following:

29 (1) One hundred percent (100%) of the support and maintenance

30 fees for cases designated as non-Title IV-D child support cases

31 in the Indiana support enforcement tracking system (ISETS) or

32 the successor statewide automated support enforcement system

33 collected under IC 33-37-5-6.

34 (2) The percentage share of the support and maintenance fees for

35 cases designated as Title IV-D child support cases in ISETS or

36 the successor statewide automated support enforcement system

37 collected under IC 33-37-5-6 that is reimbursable to the county

38 at the federal financial participation rate.

39 The county clerk shall distribute monthly to the department of child

40 services the percentage share of the support and maintenance fees for

41 cases designated as Title IV-D child support cases in ISETS, or the

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1 successor statewide automated support enforcement system, collected
2 under IC 33-37-5-6 that is not reimbursable to the county at the
3 applicable federal financial participation rate.

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

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

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

12 (3) Twenty-five percent (25%) of the safe schools fee collected
13 under IC 33-37-5-18 for deposit in the county general fund.

14 (h) This subsection does not apply to court administration fees
15 collected in small claims actions filed in a court described in IC 33-34.
16 The clerk of a circuit court shall semiannually distribute to the state
17 comptroller for deposit in the state general fund one hundred percent
18 (100%) of the following:

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

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

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

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

25 (5) The judicial insurance adjustment fee collected under
26 IC 33-37-5-25.

27 **(6) The prosecuting attorney compensation fee collected**
28 **under IC 33-37-5-37.**

29 (i) The proceeds of the service fee collected under
30 IC 33-37-5-28(b)(1) or IC 33-37-5-28(b)(2) shall be distributed as
31 follows:

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

35 (2) The clerk shall distribute one hundred percent (100%) of the
36 service fees collected in a city or town court to the city or town
37 fiscal officer for deposit in the city or town general fund.

38 (j) The proceeds of the garnishee service fee collected under
39 IC 33-37-5-28(b)(3) or IC 33-37-5-28(b)(4) shall be distributed as
40 follows:

41 (1) The clerk shall distribute one hundred percent (100%) of the

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1 garnishee service fees collected in a circuit, superior, county, or
 2 probate court to the county auditor for deposit in the county
 3 general fund.
 4 (2) The clerk shall distribute one hundred percent (100%) of the
 5 garnishee service fees collected in a city or town court to the city
 6 or town fiscal officer for deposit in the city or town general fund.
 7 (k) The clerk of the circuit court shall distribute semiannually to
 8 the state comptroller for deposit in the home ownership education
 9 account established by IC 5-20-1-27 one hundred percent (100%) of
 10 the following:
 11 (1) The mortgage foreclosure counseling and education fees
 12 collected under IC 33-37-5-33 (before its expiration on July 1,
 13 2017).
 14 (2) Any civil penalties imposed and collected by a court for a
 15 violation of a court order in a foreclosure action under
 16 IC 32-30-10.5.
 17 (l) The clerk of a circuit court shall distribute semiannually to the
 18 state comptroller for deposit in the pro bono legal services fund
 19 established by IC 33-37-5-34 one hundred percent (100%) of the pro
 20 bono legal services fees collected under IC 33-37-5-31.
 21 SECTION 11. IC 33-37-7-8, AS AMENDED BY P.L.106-2025,
 22 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2026]: Sec. 8. (a) The clerk of a city or town court shall
 24 distribute semiannually to the state comptroller as the state share for
 25 deposit in the homeowner protection unit account established by
 26 IC 4-6-12-9 one hundred percent (100%) of the automated record
 27 keeping fees collected under IC 33-37-5-21 with respect to actions
 28 resulting in the accused person entering into a pretrial diversion
 29 program agreement under IC 33-39-1-8 or a deferral program
 30 agreement under IC 34-28-5-1 and for deposit in the state general fund
 31 fifty-five percent (55%) of the amount of fees collected under the
 32 following:
 33 (1) IC 33-37-4-1(a) (criminal costs fees).
 34 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).
 35 (3) IC 33-37-4-4(a) (civil costs fees).
 36 (4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).
 37 (5) IC 33-37-5-17 (deferred prosecution fees).
 38 (b) The city or town fiscal officer shall distribute monthly to the
 39 county auditor as the county share twenty percent (20%) of the amount
 40 of fees collected under the following:
 41 (1) IC 33-37-4-1(a) (criminal costs fees).

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- 1 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).
 2 (3) IC 33-37-4-4(a) (civil costs fees).
 3 (4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).
 4 (5) IC 33-37-5-17 (deferred prosecution fees).
 5 (c) The city or town fiscal officer shall retain twenty-five percent
 6 (25%) as the city or town share of the fees collected under the
 7 following:
 8 (1) IC 33-37-4-1(a) (criminal costs fees).
 9 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).
 10 (3) IC 33-37-4-4(a) (civil costs fees).
 11 (4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).
 12 (5) IC 33-37-5-17 (deferred prosecution fees).
 13 (d) The clerk of a city or town court shall distribute semiannually
 14 to the state comptroller for deposit in the state user fee fund established
 15 in IC 33-37-9 the following:
 16 (1) Twenty-five percent (25%) of the drug abuse, prosecution,
 17 interdiction, and correction fees collected under
 18 IC 33-37-4-1(b)(5).
 19 (2) Twenty-five percent (25%) of the alcohol and drug
 20 countermeasures fees collected under IC 33-37-4-1(b)(6),
 21 IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).
 22 (3) One hundred percent (100%) of the highway worksite fees
 23 collected under IC 33-37-4-1(b)(9) and IC 33-37-4-2(b)(5).
 24 (4) Seventy-five percent (75%) of the safe schools fee collected
 25 under IC 33-37-5-18.
 26 (5) One hundred percent (100%) of the automated record
 27 keeping fee collected under IC 33-37-5-21 not distributed under
 28 subsection (a).
 29 (e) The clerk of a city or town court shall distribute monthly to the
 30 county auditor the following:
 31 (1) Seventy-five percent (75%) of the drug abuse, prosecution,
 32 interdiction, and correction fees collected under
 33 IC 33-37-4-1(b)(5).
 34 (2) Seventy-five percent (75%) of the alcohol and drug
 35 countermeasures fees collected under IC 33-37-4-1(b)(6),
 36 IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).
 37 The county auditor shall deposit fees distributed by a clerk under this
 38 subsection into the county drug free community fund established under
 39 IC 5-2-11.
 40 (f) The clerk of a city or town court shall distribute monthly to the
 41 city or town fiscal officer (as defined in IC 36-1-2-7) one hundred

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- 1 percent (100%) of the following:
- 2 (1) The late payment fees collected under IC 33-37-5-22.
- 3 (2) The small claims service fee collected under
- 4 IC 33-37-4-6(a)(1)(B) or IC 33-37-4-6(a)(2).
- 5 (3) The small claims garnishee service fee collected under
- 6 IC 33-37-4-6(a)(1)(C) or IC 33-37-4-6(a)(3).
- 7 (4) Twenty-five percent (25%) of the safe schools fee collected
- 8 under IC 33-37-5-18.

9 The city or town fiscal officer (as defined in IC 36-1-2-7) shall deposit
 10 fees distributed by a clerk under this subsection in the city or town
 11 general fund.

12 (g) The clerk of a city or town court shall semiannually distribute
 13 to the state comptroller for deposit in the state general fund one
 14 hundred percent (100%) of the following:

- 15 (1) The public defense administration fee collected under
- 16 IC 33-37-5-21.2.
- 17 (2) The DNA sample processing fees collected under
- 18 IC 33-37-5-26.2.
- 19 (3) The court administration fees collected under IC 33-37-5-27.
- 20 (4) The judicial insurance adjustment fee collected under
- 21 IC 33-37-5-25.
- 22 **(5) The prosecuting attorney compensation fee collected**
- 23 **under IC 33-37-5-37.**

24 (h) The clerk of a city or town court shall semiannually distribute
 25 to the state comptroller for deposit in the state general fund
 26 seventy-five percent (75%) of the judicial salaries fee collected under
 27 IC 33-37-5-26. The city or town fiscal officer shall retain twenty-five
 28 percent (25%) of the judicial salaries fee collected under
 29 IC 33-37-5-26. The funds retained by the city or town shall be
 30 prioritized to fund city or town court operations.

31 (i) The clerk of a city or town court shall distribute semiannually
 32 to the state comptroller for deposit in the pro bono legal services fund
 33 established by IC 33-37-5-34 one hundred percent (100%) of the pro
 34 bono legal services fees collected under IC 33-37-5-31.

35 SECTION 12. IC 33-39-8-5, AS AMENDED BY P.L.55-2022,
 36 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2026]: Sec. 5. The council shall do the following:

- 38 (1) Assist in the coordination of the duties of the prosecuting
- 39 attorneys of the state and their staffs.
- 40 (2) Prepare manuals of procedure.
- 41 (3) Give assistance in preparation of the trial briefs, forms, and

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- 1 instructions.
- 2 (4) Conduct training for prosecuting attorneys and the staff of
- 3 prosecuting attorneys.
- 4 (5) Conduct research and studies that would be of interest and
- 5 value to all prosecuting attorneys and their staffs.
- 6 (6) Maintain liaison contact with study commissions and
- 7 agencies of all branches of local, state, and federal government
- 8 that will be of benefit to law enforcement and the fair
- 9 administration of justice in Indiana.
- 10 **(7) Adopt guidelines and standards for services under which**
- 11 **the counties will be eligible for reimbursement under**
- 12 **IC 33-39-11.**
- 13 ~~(7)~~ **(8)** Adopt guidelines for the expenditure of funds derived
- 14 from a deferral program or a pretrial diversion program.
- 15 ~~(8)~~ **(9)** The council shall:
- 16 (A) compile forfeiture data received under IC 34-24-1-4.5;
- 17 and
- 18 (B) annually submit a report to the legislative council
- 19 containing the compiled data.

20 The council shall submit the report to the legislative council before
 21 July 15 of every year. The report must be in an electronic format under
 22 IC 5-14-6. The council may adopt rules under IC 4-22-2 to implement
 23 this subdivision.

24 SECTION 13. IC 33-39-8.1-9, AS ADDED BY P.L.147-2025,
 25 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2026]: Sec. 9. **(a)** If the board determines that a prosecuting
 27 attorney is a noncompliant prosecuting attorney, the board shall issue
 28 a report to:

- 29 (1) the prosecuting attorneys council of Indiana; and
- 30 (2) the alleged noncompliant prosecuting attorney.

31 **(b) Upon receipt of a report that a prosecuting attorney is a**
 32 **noncompliant prosecuting attorney, the board may notify the state**
 33 **comptroller.**

34 SECTION 14. IC 33-39-11 IS ADDED TO THE INDIANA CODE
 35 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2026]:

37 **Chapter 11. Public Prosecution Fund**

38 **Sec. 1. As used in this chapter, "council" means the**
 39 **prosecuting attorneys council of Indiana established by**
 40 **IC 33-39-8-2.**

41 **Sec. 2. The public prosecution fund is established to provide**
 42 **county reimbursement of compensation paid to deputy prosecuting**

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1 attorneys and administrative expenses. The fund shall be
2 administered by the council.

3 Sec. 3. The fund consists of money appropriated to the fund by
4 the general assembly.

5 Sec. 4. The treasurer of state shall invest the money in the fund
6 not currently needed to meet the obligations of the fund in the same
7 manner as other public funds may be invested.

8 Sec. 5. Money in the fund at the end of a state fiscal year does
9 not revert to the state general fund.

10 Sec. 6. (a) A county auditor may submit on a quarterly basis
11 a certified request to the state comptroller for reimbursement from
12 the public prosecution fund for salary paid to a deputy prosecuting
13 attorney, other than a chief deputy prosecuting attorney or an
14 elected prosecuting attorney, if the annual salary of the deputy
15 prosecuting attorney is equal to at least fifty-five percent (55%) of
16 the salary paid to the elected full-time prosecuting attorney. The
17 county auditor may request reimbursement under this subsection
18 in an amount that does not exceed twenty-seven and one-half
19 percent (27.5%) of the salary paid to the elected full-time
20 prosecuting attorney.

21 (b) A county auditor may submit on a quarterly basis a
22 certified request to the state comptroller for reimbursement from
23 the public prosecution fund for the county's expenditures for fringe
24 benefits provided to a deputy prosecuting attorney, other than a
25 chief deputy prosecuting attorney or an elected prosecuting
26 attorney, if the annual salary of the deputy prosecuting attorney is
27 equal to at least fifty-five percent (55%) of the salary paid to the
28 elected full-time prosecuting attorney. However, a request for
29 reimbursement for fringe benefits under this subsection may not
30 exceed fifteen thousand one hundred forty dollars (\$15,140).

31 Sec. 7. (a) Except as provided in subsection (b), upon receiving
32 certification from a county auditor, the state comptroller shall
33 issue a warrant to the treasurer of state for disbursement to the
34 county of the amount certified.

35 (b) If the state comptroller has received instruction from the
36 council under IC 33-39-8.1-9 to withhold payment from the county
37 because the prosecuting attorney is a noncompliant prosecuting
38 attorney, the state comptroller shall not issue a warrant under
39 subsection (a).

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