



SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 33 be amended to read as follows:

- 1 Page 1, delete lines 1 through 17, begin a new paragraph and insert:
2 "SECTION 1. IC 6-3.6-6-2.9, AS ADDED BY P.L.193-2023,
3 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 UPON PASSAGE]: Sec. 2.9. (a) **For purposes of this section,**
5 **"courtroom costs" includes staffing costs only for the court**
6 **reporter, court bailiff, or court administrator.**
7 (b) A county fiscal body may adopt an ordinance to impose a tax
8 rate for:
9 (1) **in the case of a tax rate adopted under this section before**
10 **January 1, 2024,** county staff expenses of the state judicial
11 system in the county; **or**
12 (2) **in the case or a tax rate adopted under this section after**
13 **December 31, 2023, courtroom costs of the state judicial**
14 **system in the county.**
15 The tax rate must be in increments of one-hundredth of one percent
16 (0.01%) and may not exceed two-tenths of one percent (0.2%). The tax
17 rate may not be in effect for more than twenty-five (25) years.
18 (b) (c) The revenue generated by a tax rate imposed under this
19 section must be distributed directly to the county before the remainder
20 of the expenditure rate revenue is distributed. The revenue shall be
21 maintained in a separate dedicated county fund. **The revenue shall be**
22 **and** used by the county:
23 (1) **in the case of a tax rate adopted under this section before**
24 **January 1, 2024,** only for paying for county staff expenses of the
25 state judicial system in the county; **and**
26 (2) **in the case of a tax rate adopted under this section after**
27 **December 31, 2023, only for paying the courtroom costs of the**

- 1 **state judicial system in the county.**
- 2 ~~(e)~~ **(d) This subsection applies to a tax rate adopted under**
- 3 **subsection (b)(1).** The local income tax revenue budgeted and spent
- 4 under this section by each county may not comprise more than fifty
- 5 percent (50%) of the county's total budgeted operational staffing
- 6 expenses related to the state judicial system in any given year.
- 7 **(e) This subsection applies to a tax rate adopted under**
- 8 **subsection (b)(2). The local income tax revenue spent under this**
- 9 **section by each county may not comprise more than fifty percent**
- 10 **(50%) of the county's total operational staffing expenses related to**
- 11 **the courtroom costs of the state judicial system in any given year.**
- 12 ~~(d)~~ **(f)** Counties that enact an ordinance to impose a tax rate under
- 13 this section shall annually report the following information for the prior
- 14 calendar year by May 1 to the justice reinvestment advisory council
- 15 established by IC 33-38-9.5-2:
- 16 (1) The types of court positions paid with local income tax
- 17 revenue generated by this section.
- 18 (2) The number of court positions by type paid for with local
- 19 income tax revenue generated by this section.
- 20 (3) The average salary by type of court position paid for with local
- 21 income tax revenue generated by this section.
- 22 (4) The county's total budgeted and actual staffing expenses **or**
- 23 **courtroom costs, whichever is applicable,** related to the state
- 24 judicial system.
- 25 (5) The county's portion of local income tax revenue that was
- 26 ~~(A) budgeted for staffing expenses related to the state judicial~~
- 27 ~~system; and~~
- 28 ~~(B)~~ **actually spent on staffing expenses or courtroom costs,**
- 29 **whichever is applicable, related to the state judicial system.**
- 30 ~~(e)~~ **(g)** The justice reinvestment advisory council shall annually
- 31 compile and report to the legislative council prior to July 1 of each year
- 32 the information required in subsection ~~(d)~~ **(f)** for each county. The
- 33 report must be in an electronic format under IC 5-14-6."
- 34 Page 2, delete lines 1 through 25.
 (Reference is to SB 33 as printed January 31, 2024.)

Senator HOLDMAN