

SENATE BILL No. 68

DIGEST OF INTRODUCED BILL

Citations Affected: IC 10-11-10; IC 33-37.

Synopsis: Internet crimes investigation fee and fund. Establishes the Internet crimes investigation fund (fund). Requires the state police department (department) to administer the fund and use money in the fund to: (1) pay for certain costs incurred by the department and directly related to crimes that involve the use of the Internet, including crimes against children that involve use of the Internet; and (2) award grants to county, city, and town law enforcement agencies that agree to use the money to investigate Internet crimes against children in accordance with United States Department of Justice Internet Crimes Against Children Operational and Investigative Standards. Requires the department to report to the legislative council before November 1, 2019, and before November 1 of each year thereafter concerning the uses of money in the fund and the programs and activities paid for by expenditures of money in the fund. Provides that, in each court action in which a person is convicted of a felony or misdemeanor, the clerk of the court shall collect an Internet crimes investigation fee (fee) of \$10 from the person. Requires the clerk of a court to distribute the fees collected to the auditor of state. Requires the auditor of state to transfer the fees to the fund. Sunsets the fee on June 30, 2022.

Effective: July 1, 2018.

Crider

January 3, 2018, read first time and referred to Committee on Judiciary.



Second Regular Session 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

SENATE BILL No. 68

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 10-11-10 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2018]:
4 **Chapter 10. Internet Crimes Investigation Fund**
5 **Sec. 1. As used in this chapter, "fund" refers to the Internet**
6 **crimes investigation fund established by section 2 of this chapter.**
7 **Sec. 2. (a) The Internet crimes investigation fund is established.**
8 **(b) The fund may be used only for the purposes described in**
9 **sections 3 and 4 of this chapter.**
10 **(c) The department shall administer the fund.**
11 **(d) The fund consists of Internet crimes investigation fees**
12 **transferred to the fund by the auditor of state under:**
13 **(1) IC 33-37-7-2(n); and**
14 **(2) IC 33-37-7-8(k).**
15 **(e) The expenses of administering the fund shall be paid from**
16 **money in the fund.**
17 **Sec. 3. The department shall use money in the fund to pay for**



1 the following costs incurred by the department and directly related
 2 to investigation of crimes that involve the use of the Internet,
 3 including crimes against children that involve the use of the
 4 Internet:

- 5 (1) Training.
- 6 (2) Purchasing equipment.
- 7 (3) Investigating felonies and misdemeanors.

8 Sec. 4. (a) The department shall use not more than fifty percent
 9 (50%) of the money deposited in the fund during a state fiscal year
 10 to award grants to county, city, and town law enforcement agencies
 11 that agree to use the money to investigate Internet crimes against
 12 children in accordance with United States Department of Justice
 13 Internet Crimes Against Children Operational and Investigative
 14 Standards.

15 (b) The department shall establish:

- 16 (1) the amounts of grants awarded under this section; and
- 17 (2) criteria used to award grants to county, city, and town law
 18 enforcement agencies under this section, which may include
 19 any of the following:

20 (A) The geographic location and population of the
 21 jurisdiction of a law enforcement agency.

22 (B) The number of reports of Internet crimes against
 23 children within the jurisdiction of a law enforcement
 24 agency.

25 (C) The past and current participation of a law
 26 enforcement agency in the department's Internet Crimes
 27 Against Children Task Force.

28 (c) A county, city, or town law enforcement agency that wishes
 29 to receive a grant from the fund under this section must file a
 30 written application for the grant:

- 31 (1) on a form; and
- 32 (2) in the manner;

33 prescribed by the department.

34 (d) The department shall, before November 1, 2019, and before
 35 November 1 of each year thereafter, submit a report in an
 36 electronic format under IC 5-14-6 to the legislative council
 37 concerning the uses of money in the fund and the programs and
 38 activities paid for by expenditures of money in the fund.

39 SECTION 2. IC 33-37-4-1, AS AMENDED BY P.L.85-2017,
 40 SECTION 108, IS AMENDED TO READ AS FOLLOWS
 41 [EFFECTIVE JULY 1, 2018]: Sec. 1. (a) For each action that results in
 42 a felony conviction under IC 35-50-2 or a misdemeanor conviction



1 under IC 35-50-3, the clerk shall collect from the defendant a criminal
2 costs fee of one hundred twenty dollars (\$120).

3 (b) In addition to the criminal costs fee collected under this section,
4 the clerk shall collect from the defendant the following fees if they are
5 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 marijuana eradication program fee (IC 33-37-5-7).

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

10 (4) A law enforcement continuing education program fee
11 (IC 33-37-5-8(c)).

12 (5) A drug abuse, prosecution, interdiction, and correction fee
13 (IC 33-37-5-9).

14 (6) An alcohol and drug countermeasures fee (IC 33-37-5-10).

15 (7) A child abuse prevention fee (IC 33-37-5-12).

16 (8) A domestic violence prevention and treatment fee
17 (IC 33-37-5-13).

18 (9) A highway worksite zone fee (IC 33-37-5-14).

19 (10) A deferred prosecution fee (IC 33-37-5-17).

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

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

22 (13) A late payment fee (IC 33-37-5-22).

23 (14) A sexual assault victims assistance fee (IC 33-37-5-23).

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

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

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

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

28 (19) A DNA sample processing fee (IC 33-37-5-26.2).

29 **(20) An Internet crimes investigation fee (IC 33-37-5-34)**
30 **(before its expiration on June 30, 2022). This subdivision**
31 **expires December 31, 2022.**

32 (c) Instead of the criminal costs fee prescribed by this section,
33 except for the automated record keeping fee (IC 33-37-5-21), the clerk
34 shall collect a pretrial diversion program fee if an agreement between
35 the prosecuting attorney and the accused person entered into under
36 IC 33-39-1-8 requires payment of those fees by the accused person.
37 The pretrial diversion program fee is:

38 (1) an initial user's fee of fifty dollars (\$50); and

39 (2) a monthly user's fee of ten dollars (\$10) for each month that
40 the person remains in the pretrial diversion program.

41 (d) The clerk shall transfer to the county auditor or city or town
42 fiscal officer the following fees, not later than thirty (30) days after the



1 fees are collected:

- 2 (1) The pretrial diversion fee.
 3 (2) The marijuana eradication program fee.
 4 (3) The alcohol and drug services program fee.
 5 (4) The law enforcement continuing education program fee.

6 The auditor or fiscal officer shall deposit fees transferred under this
 7 subsection in the appropriate user fee fund established under
 8 IC 33-37-8.

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

- 12 (1) The clerk shall apply the partial payment to general court
 13 costs.
 14 (2) If there is money remaining after the partial payment is
 15 applied to general court costs under subdivision (1), the clerk
 16 shall distribute the remainder of the partial payment for deposit in
 17 the appropriate county user fee fund.
 18 (3) If there is money remaining after distribution under
 19 subdivision (2), the clerk shall distribute the remainder of the
 20 partial payment for deposit in the state user fee fund.
 21 (4) If there is money remaining after distribution under
 22 subdivision (3), the clerk shall distribute the remainder of the
 23 partial payment to any other applicable user fee fund.
 24 (5) If there is money remaining after distribution under
 25 subdivision (4), the clerk shall apply the remainder of the partial
 26 payment to any outstanding fines owed by the defendant.

27 SECTION 3. IC 33-37-5-34 IS ADDED TO THE INDIANA CODE
 28 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 29 1, 2018]: **Sec. 34. (a) In each action in which a person is convicted
 30 of a felony or misdemeanor, the clerk shall collect an Internet
 31 crimes investigation fee of ten dollars (\$10).**

32 **(b) This section expires June 30, 2022.**

33 SECTION 4. IC 33-37-7-2, AS AMENDED BY P.L.39-2017,
 34 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2018]: Sec. 2. (a) The clerk of a circuit court shall distribute
 36 semiannually to the auditor of state as the state share for deposit in the
 37 homeowner protection unit account established by IC 4-6-12-9 one
 38 hundred percent (100%) of the automated record keeping fees collected
 39 under IC 33-37-5-21 with respect to actions resulting in the accused
 40 person entering into a pretrial diversion program agreement under
 41 IC 33-39-1-8 or a deferral program agreement under IC 34-28-5-1 and
 42 for deposit in the state general fund seventy percent (70%) of the



- 1 amount of fees collected under the following:
- 2 (1) IC 33-37-4-1(a) (criminal costs fees).
- 3 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).
- 4 (3) IC 33-37-4-3(a) (juvenile costs fees).
- 5 (4) IC 33-37-4-4(a) (civil costs fees).
- 6 (5) IC 33-37-4-6(a)(1)(A) (small claims costs fees).
- 7 (6) IC 33-37-4-7(a) (probate costs fees).
- 8 (7) IC 33-37-5-17 (deferred prosecution fees).
- 9 (b) The clerk of a circuit court shall distribute semiannually to the
- 10 auditor of state for deposit in the state user fee fund established in
- 11 IC 33-37-9-2 the following:
- 12 (1) Twenty-five percent (25%) of the drug abuse, prosecution,
- 13 interdiction, and correction fees collected under
- 14 IC 33-37-4-1(b)(5).
- 15 (2) Twenty-five percent (25%) of the alcohol and drug
- 16 countermeasures fees collected under IC 33-37-4-1(b)(6),
- 17 IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).
- 18 (3) One hundred percent (100%) of the child abuse prevention
- 19 fees collected under IC 33-37-4-1(b)(7).
- 20 (4) One hundred percent (100%) of the domestic violence
- 21 prevention and treatment fees collected under IC 33-37-4-1(b)(8).
- 22 (5) One hundred percent (100%) of the highway worksite zone
- 23 fees collected under IC 33-37-4-1(b)(9) and IC 33-37-4-2(b)(5).
- 24 (6) One hundred percent (100%) of the safe schools fee collected
- 25 under IC 33-37-5-18.
- 26 (7) One hundred percent (100%) of the automated record keeping
- 27 fee collected under IC 33-37-5-21 not distributed under
- 28 subsection (a).
- 29 (c) The clerk of a circuit court shall distribute monthly to the county
- 30 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 (d) The clerk of a circuit court shall distribute monthly to the county
- 41 auditor one hundred percent (100%) of the late payment fees collected
- 42 under IC 33-37-5-22. The county auditor shall deposit fees distributed



- 1 by a clerk under this subsection as follows:
- 2 (1) If directed to do so by an ordinance adopted by the county
- 3 fiscal body, the county auditor shall deposit forty percent (40%)
- 4 of the fees in the clerk's record perpetuation fund established
- 5 under IC 33-37-5-2 and sixty percent (60%) of the fees in the
- 6 county general fund.
- 7 (2) If the county fiscal body has not adopted an ordinance
- 8 described in subdivision (1), the county auditor shall deposit all
- 9 the fees in the county general fund.
- 10 (e) The clerk of the circuit court shall distribute semiannually to the
- 11 auditor of state for deposit in the sexual assault victims assistance fund
- 12 established by IC 5-2-6-23(j) one hundred percent (100%) of the sexual
- 13 assault victims assistance fees collected under IC 33-37-5-23.
- 14 (f) The clerk of a circuit court shall distribute monthly to the county
- 15 auditor the following:
- 16 (1) One hundred percent (100%) of the support and maintenance
- 17 fees for cases designated as non-Title IV-D child support cases in
- 18 the Indiana support enforcement tracking system (ISETS) or the
- 19 successor statewide automated support enforcement system
- 20 collected under IC 33-37-5-6.
- 21 (2) The percentage share of the support and maintenance fees for
- 22 cases designated as Title IV-D child support cases in ISETS or the
- 23 successor statewide automated support enforcement system
- 24 collected under IC 33-37-5-6 that is reimbursable to the county at
- 25 the federal financial participation rate.
- 26 The county clerk shall distribute monthly to the department of child
- 27 services the percentage share of the support and maintenance fees for
- 28 cases designated as Title IV-D child support cases in ISETS, or the
- 29 successor statewide automated support enforcement system, collected
- 30 under IC 33-37-5-6 that is not reimbursable to the county at the
- 31 applicable federal financial participation rate.
- 32 (g) The clerk of a circuit court shall distribute monthly to the county
- 33 auditor the following:
- 34 (1) One hundred percent (100%) of the small claims service fee
- 35 under IC 33-37-4-6(a)(1)(B) or IC 33-37-4-6(a)(2) for deposit in
- 36 the county general fund.
- 37 (2) One hundred percent (100%) of the small claims garnishee
- 38 service fee under IC 33-37-4-6(a)(1)(C) or IC 33-37-4-6(a)(3) for
- 39 deposit in the county general fund.
- 40 (h) This subsection does not apply to court administration fees
- 41 collected in small claims actions filed in a court described in IC 33-34.
- 42 The clerk of a circuit court shall semiannually distribute to the auditor



1 of state for deposit in the state general fund one hundred percent
2 (100%) of the following:

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

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

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

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

9 (i) The clerk of a circuit court shall semiannually distribute to the
10 auditor of state for deposit in the judicial branch insurance adjustment
11 account established by IC 33-38-5-8.2 one hundred percent (100%) of
12 the judicial insurance adjustment fee collected under IC 33-37-5-25.

13 (j) The proceeds of the service fee collected under
14 IC 33-37-5-28(b)(1) or IC 33-37-5-28(b)(2) shall be distributed as
15 follows:

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

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

22 (k) The proceeds of the garnishee service fee collected under
23 IC 33-37-5-28(b)(3) or IC 33-37-5-28(b)(4) shall be distributed as
24 follows:

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

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

32 (l) The clerk of the circuit court shall distribute semiannually to the
33 auditor of state for deposit in the home ownership education account
34 established by IC 5-20-1-27 one hundred percent (100%) of the
35 following:

36 (1) The mortgage foreclosure counseling and education fees
37 collected under IC 33-37-5-33 (before its expiration on July 1,
38 2017).

39 (2) Any civil penalties imposed and collected by a court for a
40 violation of a court order in a foreclosure action under
41 IC 32-30-10.5.

42 (m) The clerk of a circuit court shall distribute semiannually to the



1 auditor of state one hundred percent (100%) of the pro bono legal
 2 services fees collected before July 1, 2022, under IC 33-37-5-31. The
 3 auditor of state shall transfer semiannually the pro bono legal services
 4 fees to the Indiana Bar Foundation (or a successor entity) as the entity
 5 designated to organize and administer the interest on lawyers trust
 6 accounts (IOLTA) program under Rule 1.15 of the Rules of
 7 Professional Conduct of the Indiana supreme court. The Indiana Bar
 8 Foundation shall:

9 (1) deposit in an appropriate account and otherwise manage the
 10 fees the Indiana Bar Foundation receives under this subsection in
 11 the same manner the Indiana Bar Foundation deposits and
 12 manages the net earnings the Indiana Bar Foundation receives
 13 from IOLTA accounts; and

14 (2) use the fees the Indiana Bar Foundation receives under this
 15 subsection to assist or establish approved pro bono legal services
 16 programs.

17 The handling and expenditure of the pro bono legal services fees
 18 received under this section by the Indiana Bar Foundation (or its
 19 successor entity) are subject to audit by the state board of accounts. The
 20 amounts necessary to make the transfers required by this subsection are
 21 appropriated from the state general fund.

22 **(n) The clerk of a circuit court shall distribute monthly to the**
 23 **auditor of state one hundred percent (100%) of the Internet crimes**
 24 **investigation fees collected under IC 33-37-5-34 (before its**
 25 **expiration on June 30, 2022). The auditor of state shall transfer**
 26 **semiannually the Internet crimes investigation fees collected before**
 27 **July 1, 2022, to the Internet crimes investigation fund established**
 28 **by IC 10-11-10-2. This subsection expires December 31, 2022.**

29 SECTION 5. IC 33-37-7-8, AS AMENDED BY P.L.39-2017,
 30 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2018]: Sec. 8. (a) The clerk of a city or town court shall
 32 distribute semiannually to the auditor of state as the state share for
 33 deposit in the homeowner protection unit account established by
 34 IC 4-6-12-9 one hundred percent (100%) of the automated record
 35 keeping fees collected under IC 33-37-5-21 with respect to actions
 36 resulting in the accused person entering into a pretrial diversion
 37 program agreement under IC 33-39-1-8 or a deferral program
 38 agreement under IC 34-28-5-1 and for deposit in the state general fund
 39 fifty-five percent (55%) of the amount of fees collected under the
 40 following:

41 (1) IC 33-37-4-1(a) (criminal costs fees).

42 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).



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



1 IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).
2 The county auditor shall deposit fees distributed by a clerk under this
3 subsection into the county drug free community fund established under
4 IC 5-2-11.

5 (f) The clerk of a city or town court shall distribute monthly to the
6 city or town fiscal officer (as defined in IC 36-1-2-7) one hundred
7 percent (100%) of the following:

8 (1) The late payment fees collected under IC 33-37-5-22.

9 (2) The small claims service fee collected under
10 IC 33-37-4-6(a)(1)(B) or IC 33-37-4-6(a)(2).

11 (3) The small claims garnishee service fee collected under
12 IC 33-37-4-6(a)(1)(C) or IC 33-37-4-6(a)(3).

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

16 (g) The clerk of a city or town court shall semiannually distribute to
17 the auditor of state for deposit in the state general fund one hundred
18 percent (100%) of the following:

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

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

23 (3) The court administration fees collected under IC 33-37-5-27.

24 (h) The clerk of a city or town court shall semiannually distribute to
25 the auditor of state for deposit in the judicial branch insurance
26 adjustment account established by IC 33-38-5-8.2 one hundred percent
27 (100%) of the judicial insurance adjustment fee collected under
28 IC 33-37-5-25.

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

36 (j) The clerk of a city or town court shall distribute semiannually to
37 the auditor of state one hundred percent (100%) of the pro bono legal
38 services fees collected before July 1, 2022, under IC 33-37-5-31. The
39 auditor of state shall transfer semiannually the pro bono legal services
40 fees to the Indiana Bar Foundation (or a successor entity) as the entity
41 designated to organize and administer the interest on lawyers trust
42 accounts (IOLTA) program under Rule 1.15 of the Rules of



1 Professional Conduct of the Indiana supreme court. The Indiana Bar
2 Foundation shall:
3 (1) deposit in an appropriate account and otherwise manage the
4 fees the Indiana Bar Foundation receives under this subsection in
5 the same manner the Indiana Bar Foundation deposits and
6 manages the net earnings the Indiana Bar Foundation receives
7 from IOLTA accounts; and
8 (2) use the fees the Indiana Bar Foundation receives under this
9 subsection to assist or establish approved pro bono legal services
10 programs.
11 The handling and expenditure of the pro bono legal services fees
12 received under this section by the Indiana Bar Foundation (or its
13 successor entity) are subject to audit by the state board of accounts. The
14 amounts necessary to make the transfers required by this subsection are
15 appropriated from the state general fund.
16 **(k) The clerk of a city or town court shall distribute monthly to**
17 **the auditor of state one hundred percent (100%) of the Internet**
18 **crimes investigation fees collected under IC 33-37-5-34 (before its**
19 **expiration on June 30, 2022). The auditor of state shall transfer**
20 **semiannually the Internet crimes investigation fees collected before**
21 **July 1, 2022, to the Internet crimes investigation fund established**
22 **by IC 10-11-10-2. This subsection expires December 31, 2022.**

