

# PROPOSED AMENDMENT

## HB 1417 # 10

### DIGEST

Tort reform commission. Establishes the tort reform commission. Removes the SECTION concerning a qualified settlement offer.

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- 1           Page 1, between the enacting clause and line 1, begin a new  
2 paragraph and insert:  
3           "SECTION 1. IC 4-3-29 IS ADDED TO THE INDIANA CODE AS  
4 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON  
5 PASSAGE]:  
6           **Chapter 29. Tort Reform Commission**  
7           **Sec. 1. As used in this chapter, "commission" means the tort**  
8 **reform commission established by section 2 of this chapter.**  
9           **Sec. 2. The tort reform commission is established as a**  
10 **temporary executive branch commission to do the following:**  
11           **(1) Review civil causes of action in the Indiana Code, civil**  
12 **cases filed in Indiana, and tort reform generally, including a**  
13 **review of the following:**  
14           **(A) The constitutionality and the automatic adjustment of**  
15 **damages in adult wrongful death cases and other tort**  
16 **causes of action, medical malpractice claims, and punitive**  
17 **damages.**  
18           **(B) A comprehensive review of civil immunities in the**  
19 **Indiana Code, including constitutionality of the immunities**  
20 **and the effects of shifting liability.**  
21           **(C) Indiana court statistics concerning civil torts.**  
22           **(D) How the nonparty system affects litigation expenses.**  
23           **(E) Data concerning the effectiveness of the current**  
24 **Indiana Code and the trial rules to address the matters**  
25 **described in clauses (A) through (D).**  
26           **(2) Review data concerning the effect of tort reform measures**  
27 **on public safety.**

1           **(3) Study the correlation between increases in medical costs**  
 2           **and cost of living and any increase in judgments awarded in**  
 3           **civil cases.**

4           **(4) Before November 1, 2026, issue a report containing its**  
 5           **findings and recommendations to:**

6                 **(A) the governor; and**

7                 **(B) the legislative council.**

8           **The report to the legislative council must be in an electronic**  
 9           **format under IC 5-14-6.**

10          **Sec. 3. The commission consists of the following fifteen (15)**  
 11          **members:**

12                 **(1) The president pro tempore of the senate, or a designee of**  
 13                 **the president pro tempore who is a member of the senate. The**  
 14                 **president pro tempore or designee shall serve as a**  
 15                 **co-chairperson of the commission.**

16                 **(2) The speaker of the house of representatives or the**  
 17                 **speaker's designee who is a member of the house of**  
 18                 **representatives. The speaker or designee shall serve as a**  
 19                 **co-chairperson of the commission.**

20                 **(3) The chair of the senate judiciary committee.**

21                 **(4) The chair of the house judiciary committee.**

22                 **(5) The governor or the governor's designee.**

23                 **(6) The chief justice of Indiana or the chief justice's designee.**

24                 **(7) The minority leader of the senate or a designee of the**  
 25                 **minority leader who is a member of the senate.**

26                 **(8) The minority leader of the house of representatives or a**  
 27                 **designee of the minority leader who is a member of the house**  
 28                 **of representatives.**

29                 **(9) Two (2) representatives of the Defense Trial Counsel of**  
 30                 **Indiana, appointed by the governor.**

31                 **(10) Two (2) representatives of the Indiana Trial Lawyers**  
 32                 **Association, appointed by the governor.**

33                 **(11) A representative of the Indiana Chamber of Commerce,**  
 34                 **appointed by the governor.**

35                 **(12) A member of the Indiana Hospital Association, appointed**  
 36                 **by the governor.**

37                 **(13) The commissioner of the Indiana department of**  
 38                 **insurance or the commissioner's designee.**

39          **Sec. 4. A member serves for a term that ends on June 30 of the**  
 40          **next odd-numbered year following the member's appointment.**

1       **However, the member may be reappointed to subsequent terms.**

2       **Sec. 5. A member who is not an ex officio member serves at the**  
3       **pleasure of the appointing authority.**

4       **Sec. 6. An appointment to fill a vacancy shall be made in the**  
5       **same manner that an original appointment is made. An individual**  
6       **appointed to fill a vacancy serves for the remainder of the term of**  
7       **the former member.**

8       **Sec. 7. Each member of the commission who is a state employee**  
9       **is entitled to reimbursement for traveling expenses as provided**  
10       **under IC 4-13-1-4 and other expenses actually incurred in**  
11       **connection with the member's duties as provided in the state**  
12       **policies and procedures established by the Indiana department of**  
13       **administration and approved by the budget agency.**

14       **Sec. 8. Each member of the commission who is not a state**  
15       **employee is entitled to receive the same per diem, mileage, and**  
16       **travel allowances paid to individuals who serve as legislative and**  
17       **lay members, respectively, of interim study committees established**  
18       **by the legislative council.**

19       **Sec. 9. Each member of the commission who is a member of the**  
20       **general assembly is entitled to receive the same per diem, mileage,**  
21       **and travel allowances paid to legislative members of interim study**  
22       **committees established by the legislative council. Per diem,**  
23       **mileage, and travel allowances paid under this section shall be paid**  
24       **from appropriations made to the legislative council or the**  
25       **legislative services agency.**

26       **Sec. 10. Except for expenses described in section 9 of this**  
27       **chapter, expenses of the commission shall be paid from funds**  
28       **appropriated to the governor.**

29       **Sec. 11. The commission shall hold meetings at the call of the**  
30       **co-chairpersons.**

31       **Sec. 12. Nine (9) members constitute a quorum for the**  
32       **transaction of business.**

33       **Sec. 13. Each member has one (1) vote.**

34       **Sec. 14. Action of the commission may be taken only upon the**  
35       **affirmative votes of at least nine (9) members.**

36       **Sec. 15. The office of the governor shall staff the commission.**

37       **Sec. 16. This chapter expires June 30, 2028."**

38       Page 3, delete lines 15 through 40, begin a new paragraph and  
39       insert:

40       **"SECTION 8. An emergency is declared for this act."**

- 1 Renumber all SECTIONS consecutively.  
(Reference is to HB 1417 as printed January 27, 2026.)