



COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Judiciary, to which was referred House Bill No. 1417, 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:

- 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**

- 1 **and the effects of shifting liability.**
- 2 **(C) Indiana court statistics concerning civil torts.**
- 3 **(D) How the nonparty system affects litigation expenses.**
- 4 **(E) Data concerning the effectiveness of the current**
- 5 **Indiana Code and the trial rules to address the matters**
- 6 **described in clauses (A) through (D).**
- 7 **(2) Review data concerning the effect of tort reform measures**
- 8 **on public safety.**
- 9 **(3) Study the correlation between increases in medical costs**
- 10 **and cost of living and any increase in judgments awarded in**
- 11 **civil cases.**
- 12 **(4) Before November 1, 2026, issue a report containing its**
- 13 **findings and recommendations to:**
- 14 **(A) the governor; and**
- 15 **(B) the legislative council.**
- 16 **The report to the legislative council must be in an electronic**
- 17 **format under IC 5-14-6.**
- 18 **Sec. 3. The commission consists of the following fifteen (15)**
- 19 **members:**
- 20 **(1) The president pro tempore of the senate, or a designee of**
- 21 **the president pro tempore who is a member of the senate. The**
- 22 **president pro tempore or designee shall serve as a**
- 23 **co-chairperson of the commission.**
- 24 **(2) The speaker of the house of representatives or the**
- 25 **speaker's designee who is a member of the house of**
- 26 **representatives. The speaker or designee shall serve as a**
- 27 **co-chairperson of the commission.**
- 28 **(3) The chair of the senate judiciary committee.**
- 29 **(4) The chair of the house judiciary committee.**
- 30 **(5) The governor or the governor's designee.**
- 31 **(6) The chief justice of Indiana or the chief justice's designee.**
- 32 **(7) The minority leader of the senate or a designee of the**
- 33 **minority leader who is a member of the senate.**
- 34 **(8) The minority leader of the house of representatives or a**
- 35 **designee of the minority leader who is a member of the house**
- 36 **of representatives.**
- 37 **(9) Two (2) representatives of the Defense Trial Counsel of**
- 38 **Indiana, appointed by the governor.**

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

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

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

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

9 **Sec. 4. A member serves for a term that ends on June 30 of the**
10 **next odd-numbered year following the member's appointment.**
11 **However, the member may be reappointed to subsequent terms.**

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

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

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

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

29 **Sec. 9. Each member of the commission who is a member of the**
30 **general assembly is entitled to receive the same per diem, mileage,**
31 **and travel allowances paid to legislative members of interim study**
32 **committees established by the legislative council. Per diem,**
33 **mileage, and travel allowances paid under this section shall be paid**
34 **from appropriations made to the legislative council or the**
35 **legislative services agency.**

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

- 1 **Sec. 11. The commission shall hold meetings at the call of the**
- 2 **co-chairpersons.**
- 3 **Sec. 12. Nine (9) members constitute a quorum for the**
- 4 **transaction of business.**
- 5 **Sec. 13. Each member has one (1) vote.**
- 6 **Sec. 14. Action of the commission may be taken only upon the**
- 7 **affirmative votes of at least nine (9) members.**
- 8 **Sec. 15. The office of the governor shall staff the commission.**
- 9 **Sec. 16. This chapter expires June 30, 2028."**
- 10 Page 2, between lines 11 and 12, begin a new line block indented
- 11 and insert:
- 12 **"(2) "Governmental entity" means the state of Indiana or a**
- 13 **state agency and does not mean a political subdivision,**
- 14 **municipality, or unit."**
- 15 Page 2, line 12, delete "(2)" and insert "(3)".
- 16 Page 2, line 15, delete "(3)" and insert "(4)".
- 17 Page 2, delete lines 39 through 42.
- 18 Page 3, delete line 1.
- 19 Page 3, line 13, after "Sec. 7." insert "(a)".
- 20 Page 3, between lines 14 and 15, begin a new paragraph and insert:
- 21 **"(b) Nothing in this chapter applies to a cause of action filed by**
- 22 **a private person, individual, or entity."**
- 23 Page 3, delete lines 15 through 40, begin a new paragraph and
- 24 insert:
- 25 **"SECTION 8. An emergency is declared for this act."**
- 26 Renumber all SECTIONS consecutively.
- (Reference is to HB 1417 as printed January 27, 2026.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 4.

Carrasco

Chairperson