

**LEGISLATIVE SERVICES AGENCY**  
**OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**  
**FISCAL IMPACT STATEMENT**

**LS 6928**

**BILL NUMBER:** SB 216

**NOTE PREPARED:** Jan 15, 2026

**BILL AMENDED:** Jan 15, 2026

**SUBJECT:** Eminent Domain.

**FIRST AUTHOR:** Sen. Buck

**BILL STATUS:** CR Adopted - 1<sup>st</sup> House

**FIRST SPONSOR:**

**FUNDS AFFECTED:**  **GENERAL**  
 **DEDICATED**  
 **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill provides that if a unit of local government (unit) provides forgivable loans, the unit must (as a condition of providing forgivable loans) require that a person operating a business on a property may be entitled to compensation for business losses resulting from a condemnation of the property.

**Effective Date:** Upon passage.

**Explanation of State Expenditures:** The state could face increased litigation to determine fair value of future claims. The Attorney General would represent the state and would likely see an increase in workload for case work as a result of the bill.

**Explanation of State Revenues:** If additional civil cases occur and court fees are collected, revenue to the state General Fund will increase. The total revenue per case would range between \$100 and \$122. The amount deposited will vary depending on whether the case is filed in a court of record or a municipal court. The following linked document describes the fees and distribution of the revenue: [Court fees imposed in civil, probate, and small claims cases.](#)

**Explanation of Local Expenditures:** This bill's provisions may result in an increase in a local unit's costs associated with eminent domain condemnation proceedings. It will also increase the likelihood that a property owner will bring a suit against the local unit after their property has been taken through condemnation.

The overall impact of this bill's provisions could be significant for local units that provide forgivable loans and exist in eminent domain condemnations. However, the actual fiscal impact will vary and will be contingent on the compensation for loss of value ultimately awarded to a property owner.

**Explanation of Local Revenues:** If additional cases occur, revenue will be collected by certain local units. If the case is filed in a court of record, the county will receive \$32 and qualifying municipalities will receive a share of \$3. If the case is filed in a municipal court, the county receives \$20, and the municipality will

receive \$37. The following linked document describes the fees and distribution of the revenue: [Court fees imposed in civil, probate, and small claims cases](#).

**State Agencies Affected:** Attorney General.

**Local Agencies Affected:** Trial courts, city and town courts.

**Information Sources:** Indiana Supreme Court, Indiana Trial Court Fee Manual, Indiana Supreme Court, Indiana Trial Court Fee Manual.

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