

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

LS 6465
BILL NUMBER: HB 1115

NOTE PREPARED: Dec 8, 2024
BILL AMENDED:

SUBJECT: Emergency Possessory Orders.

FIRST AUTHOR: Rep. Manning
FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
 X DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill provides that under certain circumstances a landlord may file a petition for an emergency possessory order. It requires a court to order a tenant to return possession of a dwelling unit to the landlord if the court finds probable cause to believe that: (1) the tenant, the tenant's guest, or the tenant's invitee has committed or is threatening to commit acts affecting the health and safety of another tenant or agent of the rental unit; or (2) the tenant committed certain crimes to induce the landlord into leasing or giving possession of the rental unit to the tenant.

Effective Date: July 1, 2025.

Explanation of State Expenditures:

Explanation of State Revenues: If additional civil cases pertaining to emergency possessory orders 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 the administrative workload for courts since it expands the circumstances under which a landlord can petition the court for an emergency possessory order.

Explanation of Local Revenues: If additional civil cases pertaining to emergency possessory orders 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:

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

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

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