



COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Appropriations, to which was referred House Bill No. 1193, 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 2, line 17, strike "and".
- 2 Page 2, line 19, after "in;" insert "**and**
- 3 **(4) a copy of the agreement that includes a term setting the**
- 4 **amount of attorney's fees and costs owed to the private legal**
- 5 **counsel executed between the private legal counsel of the**
- 6 **political subdivision and the political subdivision that is opting**
- 7 **back in;"**.
- 8 Page 2, between lines 29 and 30, begin a new paragraph and insert:
- 9 "SECTION 2. IC 4-6-15-3, AS ADDED BY P.L.165-2021,
- 10 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 11 UPON PASSAGE]: Sec. 3. (~~a~~) After January 1, 2021, no political
- 12 subdivision shall initiate or file opioid litigation in any court.
- 13 (~~b~~) The state and each political subdivision shall be solely
- 14 responsible for paying all costs, expenses, and attorney's fees arising
- 15 from opioid litigation brought under their respective authorities,
- 16 including any attorney's fees owed to private legal counsel, and may not
- 17 seek payment for reimbursement of such costs, expenses, and attorney's
- 18 fees from money to be used for treatment, education, and prevention
- 19 programs for opioid use disorder and any co-occurring substance use
- 20 disorder or mental health issues. Payment of attorney's fees may be

1 sought from specific attorney's fee, costs, and expenses funds set up by
2 the settlement agreement."

3 Page 3, line 19, delete "regional".

4 Page 3, between lines 26 and 27 begin a new paragraph and insert:

5 **"(c) Funds received from the settlement may not be distributed**
6 **to a city, county, or town that has opted out of the settlement under**
7 **section 2(b) of this chapter. The settlement funds that are not**
8 **distributed to the cities, counties, or towns that have opted out of**
9 **the settlement must be distributed in the manner set forth under**
10 **subsection (a)(2) and (a)(4) to the cities, counties, or towns that**
11 **have opted into the settlement."**

12 Page 3, line 27, strike "(c)" and insert "(d)".

13 Page 4, line 9, strike "(d)" and insert "(e)".

14 Page 4, line 15, strike "(e)" and insert "(f)".

15 Page 4, line 17, strike "(d)" and insert "(e)".

16 Page 4, between lines 20 and 21, begin a new paragraph and insert:

17 "SECTION 5. IC 4-6-15-5 IS ADDED TO THE INDIANA CODE
18 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE**
19 **UPON PASSAGE]: Sec. 5. Before distributing funds to a city,**
20 **county, or town that has opted back into a settlement under section**
21 **2(d) of this chapter, the budget agency shall:**

22 **(1) withhold from distribution to the city, county, or town the**
23 **funds owed to the private legal counsel of the city, county, or**
24 **town in the amount set forth in the agreement between the**
25 **city, county, or town and private legal counsel; and**

26 **(2) distribute the attorney's fees and costs to the private legal**
27 **counsel of the city, county, or town in the amount set forth in**
28 **the agreement between the city, county, or town and private**
29 **legal counsel."**

30 Renumber all SECTIONS consecutively.

(Reference is to HB 1193 as reprinted January 26, 2022.)

and when so amended that said bill do pass .

Committee Vote: Yeas 11, Nays 0.

Senator Mishler, Chairperson