

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

200 W. Washington St., Suite 301
Indianapolis, IN 46204
(317) 233-0696
iga.in.gov

FISCAL IMPACT STATEMENT

LS 6579
BILL NUMBER: SB 226

NOTE PREPARED: Feb 15, 2024
BILL AMENDED: Feb 15, 2024

SUBJECT: Attorney's Fees.

FIRST AUTHOR: Sen. Gaskill
FIRST SPONSOR: Rep. Torr

BILL STATUS: CR Adopted - 2nd House

FUNDS AFFECTED: GENERAL
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill increases:

- (1) the amount of attorney's fees that may be incurred by an offeror to \$250 per hour; and
- (2) the total amount of attorney's fees, costs, and expenses that may be awarded to not more than \$7,500; with respect to a qualified settlement offer.

Effective Date: July 1, 2024.

Explanation of State Expenditures: This provision could potentially increase state expenditures to the extent the state receives a final judgment for a lower amount than what was offered in the qualified settlement offer. The court shall award attorney's fees, costs, and expenses to the offeror against the recipient, and the bill increases the total amount of certain expenses that may be awarded. The actual fiscal impact is indeterminate.

Explanation of State Revenues:

Explanation of Local Expenditures: This provision could potentially increase local expenditures to the extent local units receive a final judgment for a lower amount than what was offered in the qualified settlement offer. The court shall award attorney's fees, costs, and expenses to the offeror against the recipient, and the bill increases the total amount of certain expenses that may be awarded. The actual fiscal impact is indeterminate.

Explanation of Local Revenues:

State Agencies Affected: All state agencies.

Local Agencies Affected: All local units of government.

Information Sources:

Fiscal Analyst: Corrin Harvey, 317-234-9438.