

SENATE BILL No. 316

DIGEST OF INTRODUCED BILL

Citations Affected: IC 34-13-3-4.

Synopsis: Limitation on governmental tort liability. Increases the maximum judgment that may be awarded in a tort claim against a governmental entity or public official.

Effective: January 1, 2000.

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January 7, 1999, read first time and referred to Committee on Judiciary.

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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

SENATE BILL No. 316



A BILL FOR AN ACT to amend the Indiana Code concerning civil law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 34-13-3-4 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JANUARY 1, 2000]: Sec. 4. The combined
 3 aggregate liability of all governmental entities and of all public
 4 employees, acting within the scope of their employment and not
 5 excluded from liability under section 3 of this chapter, does not exceed
 6 ~~three one million two hundred fifty~~ thousand dollars ~~(\$300,000)~~
 7 **(\$1,250,000)** for injury to or death of one (1) person in any one (1)
 8 occurrence and does not exceed ~~five ten~~ million dollars ~~(\$5,000,000)~~
 9 **(\$10,000,000)** for injury to or death of all persons in that occurrence.
 10 **However, if the liability involves an act or omission related to the**
 11 **maintenance, operation, or improvement of service over the**
 12 **Chicago, South Shore, and South Bend Railway railroad or any of**
 13 **its extensions, the aggregate liability of all government entities and**
 14 **of all public employees, acting within the scope of their**
 15 **employment and not excluded from liability under section 3 of this**
 16 **chapter does not exceed fifty million dollars (\$50,000,000) for**
 17 **injury to or death of all persons in that occurrence.** A governmental



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1 entity is not liable for punitive damages.
2 SECTION 2. [EFFECTIVE JANUARY 1, 2000] **IC 34-13-3-4, as**
3 **amended by this act, applies only to a cause of action that accrues**
4 **after December 31, 1999.**

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