



March 27, 2013

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**ENGROSSED  
HOUSE BILL No. 1558**

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DIGEST OF HB 1558 (Updated March 25, 2013 12:26 pm - DI 106)

**Citations Affected:** Noncode.

**Synopsis:** Consumer lawsuit lending. Urges the legislative council to assign to the interim study committee on insurance, during the 2013 interim of the general assembly, the topic of consumer lawsuit lending.

**Effective:** Upon passage.

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**Lehman, Carbaugh, Moseley,  
Austin**

(SENATE SPONSORS — HOLDMAN, BRODEN, KRUSE)

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January 22, 2013, read first time and referred to Committee on Insurance.  
February 14, 2013, amended, reported — Do Pass.  
February 19, 2013, read second time, amended, ordered engrossed.  
February 20, 2013, engrossed. Read third time, passed. Yeas 96, nays 0.

SENATE ACTION

February 27, 2013, read first time and referred to Committee on Civil Law.  
March 26, 2013, reported favorably — Do Pass.

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EH 1558—LS 7269/DI 97+



March 27, 2013

First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

# ENGROSSED HOUSE BILL No. 1558

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

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

SECTION 1. [EFFECTIVE UPON PASSAGE] (a) **The following definitions apply throughout this SECTION:**

(1) **"Consumer" means an individual who is or may become a plaintiff in a proceeding.**

(2) **"Consumer lawsuit lending" or "consumer lawsuit loan" means:**

(A) **providing money to a consumer for any purpose other than prosecuting the consumer's proceeding, if the repayment of the money is:**

(i) **required only if the consumer prevails in the proceeding; and**

(ii) **sourced from the proceeds of the proceeding, by judgment, settlement, or otherwise; or**

(B) **purchasing from a consumer a contingent right to receive a share of the potential proceeds of the consumer's proceeding, by judgment, settlement, or otherwise.**

(3) **"Proceeding" means:**

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EH 1558—LS 7269/DI 97+



- 1           **(A) a civil action;**
- 2           **(B) mediation, arbitration, or any other alternative dispute**
- 3           **resolution proceeding; or**
- 4           **(C) an administrative proceeding before an agency or**
- 5           **instrumentality of the state.**
- 6           **(b) The legislative council is urged to assign to the interim study**
- 7           **committee on insurance established by IC 2-5-33.3-2, for study**
- 8           **during the 2013 interim of the general assembly, the topic of**
- 9           **consumer lawsuit lending.**
- 10          **(c) This SECTION expires July 1, 2014.**
- 11           **SECTION 2. An emergency is declared for this act.**

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Insurance, to which was referred House Bill 1558, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

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

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1558 as introduced.)

LEHMAN, Chair

Committee Vote: yeas 10, nays 1.

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 HOUSE MOTION

Mr. Speaker: I move that House Bill 1558 be amended to read as follows:

Page 1, delete lines 1 through 17.

Delete page 2.

Page 3, delete lines 1 through 23, begin a new paragraph and insert:

"SECTION 1. [EFFECTIVE UPON PASSAGE] **(a) The following definitions apply throughout this SECTION:**"

Page 3, delete lines 38 through 39.

Page 3, line 40, delete "(4)" and insert "(3)".

Page 4, delete lines 4 through 13, begin a new paragraph and insert:

**"(b) The legislative council is urged to assign to the interim study committee on insurance established by IC 2-5-33.3-2, for study during the 2013 interim of the general assembly, the topic of consumer lawsuit lending.**

**(c) This SECTION expires July 1, 2014.**

SECTION 2. **An emergency is declared for this act.**"

Re-number all SECTIONS consecutively.

(Reference is to HB 1558 as printed February 15, 2013.)

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EH 1558—LS 7269/DI 97+



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COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred House Bill No. 1558, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1558 as printed February 20, 2013.)

ZAKAS, Chairperson

Committee Vote: Yeas 7, Nays 0.

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