

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

**LS 7468**  
**BILL NUMBER: SB 490**

**NOTE PREPARED: Jan 7, 2025**  
**BILL AMENDED:**

**SUBJECT:** Commercial Motor Vehicle Defendant Liability.

**FIRST AUTHOR:** Sen. Gaskill  
**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:**  **GENERAL**  
 **DEDICATED**  
 **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill provides that noneconomic damages awarded in a civil suit involving a commercial motor vehicle may not be more than \$1 M. The bill provides exceptions.

**Effective Date:** July 1, 2025.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** *Summary* - This bill could increase General Fund revenue from increases in civil filings for accidents involving commercial motor vehicles.

*Additional Information* - The bill increases the amount a plaintiff can receive from a defendant for civil cases pertaining to accidents involving commercial motor vehicles. As such, the bill could increase the number of civil cases that could be filed following an accident involving a commercial motor vehicle.

If additional civil cases 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:** By increasing the amount a plaintiff can receive from noneconomic damages, the bill could decrease the number of civil cases that are settled instead of going to trial. Any impact on court caseload is indeterminable.

**Explanation of Local Revenues:** If additional cases 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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