

SENATE BILL No. 68

DIGEST OF INTRODUCED BILL

Citations Affected: IC 34-13-3-6.

Synopsis: Tort claims against the state. Requires a person who brings a tort claim against the state to file notice only with the attorney general within 270 days after the action accrues.

Effective: July 1, 2004.

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November 21, 2003, read first time and referred to Committee on Judiciary.

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Second Regular Session 113th General Assembly (2004)

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 2003 Regular Session of the General Assembly.

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SENATE BILL No. 68



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:

- 1 SECTION 1. IC 34-13-3-6 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 6. (a) Except as
- 3 provided in sections 7 and 9 of this chapter, a claim against the state is
- 4 barred unless notice is filed with the attorney general ~~or the state~~
- 5 ~~agency involved~~ within two hundred seventy (270) days after the loss
- 6 occurs. ~~However, if notice to the state agency involved is filed with the~~
- 7 ~~wrong state agency, that error does not bar a claim if the claimant~~
- 8 ~~reasonably attempts to determine and serve notice on the right state~~
- 9 ~~agency.~~
- 10 (b) The attorney general, by rule adopted under IC 4-22-2, shall
- 11 prescribe a claim form to be used to file a notice under this section. The
- 12 claim form must specify:
- 13 (1) the information required; and
- 14 (2) the period of time that a potential claimant has to file a claim.
- 15 (c) Copies of the claim form prescribed under subsection (b) shall
- 16 be available from each:
- 17 (1) state agency; and



1 (2) operator of a state vehicle.

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