

 KeyCite Yellow Flag - Negative Treatment  
Proposed Legislation

West's Annotated Indiana Code  
Title 4. State Offices and Administration  
Article 6. Attorney General  
Chapter 15. Opioid Litigation and Settlements

IC 4-6-15-2

4-6-15-2 Political subdivisions considered party to settlement, bound by settlement terms; exceptions, opting out of settlement; opting back in to settlement

Effective: April 29, 2021

[Currentness](#)

Sec. 2. (a) Except as provided in subsection (b), all political subdivisions shall be considered a party to any settlement, including a settlement in lieu of litigation, in opioid litigation by the attorney general with an opioid party that is finalized with court approval after March 1, 2021. Except as provided in subsection (b), political subdivisions shall be bound by the terms of any opioid litigation settlement imposed by a bankruptcy court or any other court of competent jurisdiction as accepted by the attorney general.

(b) A political subdivision that has filed opioid litigation on or before January 1, 2021, may opt out of the settlement described in this section and choose to pursue its own claims by submitting written documentation as prescribed in subsection (c) to the attorney general by June 30, 2021. Except as provided in subsection (d), any political subdivision that opts out and chooses to maintain its own lawsuit under this section shall have no claim to any state or political subdivision funds paid according to the settlement authorized or approved by the attorney general.

(c) A document submitted by a political subdivision under subsection (b) to opt out of the settlement shall include:

- (1) the name of the political subdivision electing to opt out;
- (2) contact information for an individual at the political subdivision who can provide information regarding the decision to opt out; and
- (3) a certified copy of the resolution adopted by the political subdivision to opt out; of the settlement.

(d) Notwithstanding subsection (b), a political subdivision may opt back in to a settlement by submission of:

- (1) the name of the political subdivision opting back in;

(2) contact information for an individual at the political subdivision who can provide information regarding the decision to opt back in; and

(3) a certified copy of the resolution adopted by the political subdivision to opt back in; to the settlement to the attorney general by the earlier of sixty (60) days after the political subdivision adopted a resolution to opt out of the settlement or September 30, 2021, whichever occurs first.

(e) A political subdivision that has not made a choice to opt out or that has opted back in to the settlement is bound by full release, waiver, and dismissal of all claims against the opioid party.

(f) No political subdivision has any claim to any settlement proceeds for litigation against any opioid party not yet filed by the state as of the effective date of this chapter, as added by HEA 1001-2021.

### **Credits**

As added by [P.L.165-2021](#), [SEC.36](#), eff. April 29, 2021.

I.C. 4-6-15-2, IN ST 4-6-15-2

The statutes and Constitution are current with all legislation of the 2021 First Regular Session of the 122nd General Assembly effective through July 1, 2021.

**End of Document**

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