

JAN 8 1996

HOUSE FILE 2016  
BY TYRRELL

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act to adjust annually the jurisdictional amount for small  
2 claims actions according to the consumer price index.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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*HF 2016*

1 Section 1. Section 364.22, subsection 5, paragraph a, Code  
2 1995, is amended to read as follows:

3 a. The matter shall be tried before a magistrate, a  
4 district associate judge, or a district judge ~~in-district~~  
5 ~~court-if-the-total-amount-of-civil-penalties-does-not-exceed~~  
6 ~~two-thousand-dollars~~ in the same manner as a small claim. The  
7 matter shall only be tried before a judge in district court if  
8 the total amount of civil penalties assessed exceeds two  
9 ~~thousand-dollars~~ the jurisdictional amount for small claims  
10 set forth in section 631.1.

11 Sec. 2. Section 631.1, Code Supplement 1995, is amended to  
12 read as follows:

13 631.1 SMALL CLAIMS.

14 1. ~~The-following-actions-or-claims-are~~ A small claims-and  
15 ~~shall-be-commenced,-heard-and-determined-as-provided-in-this~~  
16 ~~chapter-~~

17 A claim is any civil action for a money judgment where the  
18 amount in controversy is ~~three-thousand-dollars-or-less-for~~  
19 ~~actions-commenced-on-or-after-July-17-1994,-and-before-July-17-~~  
20 ~~1995,-and~~ four thousand dollars or less for ~~actions-commenced~~  
21 ~~on-or-after-July-17-1995,~~ exclusive of interest and costs.  
22 However, the limitation on this jurisdictional amount shall be  
23 adjusted annually on January 1 by the state court  
24 administrator, according to the most recent yearly average of  
25 the consumer price index for all urban consumers, published by  
26 the United States department of labor, bureau of labor  
27 statistics, as of the close of the twelve-month period ending  
28 on August 31 of each year.

29 2. The district court sitting in small claims shall have  
30 concurrent jurisdiction of an action for forcible entry and  
31 detainer which is based on those grounds set forth in section  
32 648.1, subsections 1, 2, 3 and 5. When commenced under this  
33 chapter, the action shall be a small claim for the purposes of  
34 this chapter.

35 3. The district court sitting in small claims has

1 concurrent jurisdiction of an action of replevin if the value  
2 of the property claimed is ~~three-thousand-dollars-or-less-for~~  
3 ~~actions-commenced-on-or-after-July-1, 1994, and before July 1,~~  
4 ~~1995, and four-thousand-dollars-or-less-for-actions-commenced~~  
5 ~~on-or-after-July-1, 1995~~ equal to or less than the  
6 jurisdictional amount for small claims specified in subsection  
7 1. When commenced under this chapter, the action is a small  
8 claim for the purposes of this chapter.

9 4. The district court sitting in small claims has  
10 concurrent jurisdiction of motions and orders relating to  
11 executions against personal property, including garnishments,  
12 where the value of the property or garnisheed money involved  
13 is ~~three-thousand-dollars-or-less-for-actions-commenced-on-or~~  
14 ~~after-July-1, 1994, and before July 1, 1995, and four-thousand~~  
15 ~~dollars-or-less-for-actions-commenced-on-or-after-July-1, 1995~~  
16 equal to or less than the jurisdictional amount for small  
17 claims specified in subsection 1.

18 5. The district court sitting in small claims has  
19 concurrent jurisdiction of an action for abandonment of a  
20 mobile home or personal property pursuant to section 555B.3,  
21 if no money judgment in excess of ~~four-thousand-dollars~~ the  
22 jurisdictional amount for small claims specified in subsection  
23 1 is sought ~~for-actions-commenced-on-or-after-July-1, 1995~~.  
24 If commenced under this chapter, the action is a small claim  
25 for the purposes of this chapter.

#### EXPLANATION

27 Section 2 of this bill provides for automatic annual in-  
28 creases in the jurisdictional amount for small claims actions  
29 at the rate of inflation, as calculated according to the  
30 consumer price index (CPI).

31 Other subsections of section 631.1, as well as the jurisdic-  
32 tional statement for violations of municipal ordinance set  
33 forth in section 1 of the bill, have been amended to reflect  
34 the changes made to the jurisdictional amount for small  
35 claims.