

JAN 11 2000

JUDICIARY

HOUSE FILE

2026

BY GRUNDBERG

1-20-00 sponsor added - Dennis

Passed House, Date _____

Passed Senate, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act to increase the jurisdictional amount of small claims
2 court.

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

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1 Section 1. Section 631.1, Code Supplement 1999, is amended
2 to read as follows:

3 631.1 SMALL CLAIMS.

4 1. The following actions or claims are small claims and
5 shall be commenced, heard, and determined as provided in this
6 chapter:

7 A civil action for a money judgment where the amount in
8 controversy is ~~three-thousand-dollars-or-less-for-actions~~
9 ~~commenced-on-or-after-July-1, 1994, and before July 1, 1995,~~
10 ~~and-four~~ eight thousand dollars or less for actions commenced
11 on or after July 1, 1995 2000, exclusive of interest and
12 costs.

13 2. The district court sitting in small claims shall have
14 concurrent jurisdiction of an action for forcible entry and
15 detainer which is based on those grounds set forth in section
16 648.1, subsections 1, 2, 3 and 5. When commenced under this
17 chapter, the action ~~shall be~~ is a small claim for the purposes
18 of this chapter.

19 3. The district court sitting in small claims has
20 concurrent jurisdiction of an action of replevin if the value
21 of the property claimed is ~~three-thousand-dollars-or-less-for~~
22 ~~actions-commenced-on-or-after-July-1, 1994, and before July 1,~~
23 ~~1995, and-four~~ eight thousand dollars or less for actions
24 commenced on or after July 1, 1995 2000. When commenced under
25 this chapter, the action is a small claim for the purposes of
26 this chapter.

27 4. The district court sitting in small claims has
28 concurrent jurisdiction of motions and orders relating to
29 executions against personal property, including garnishments,
30 where the value of the property or garnisheed money involved
31 is ~~three-thousand-dollars-or-less-for-actions-commenced-on-or~~
32 ~~after-July-1, 1994, and before July 1, 1995, and-four~~ eight
33 thousand dollars or less for actions commenced on or after
34 July 1, 1995 2000.

35 5. The district court sitting in small claims has

1 concurrent jurisdiction of an action for abandonment of a
2 mobile home or personal property pursuant to section 555B.3,
3 if no money judgment in excess of four eight thousand dollars
4 is sought for actions commenced on or after July 1, 1995 2000.
5 If commenced under this chapter, the action is a small claim
6 for the purposes of this chapter.

7 6. The district court sitting in small claims has
8 concurrent jurisdiction of an action to challenge a mechanic's
9 lien pursuant to sections 572.24 and 572.32.

10 Sec. 2. JURISDICTIONAL AMOUNT REVERSION. The
11 jurisdictional amount in section 1 of this Act, which amends
12 section 631.1, shall revert to four thousand dollars if a
13 court of competent jurisdiction declares the eight thousand
14 dollar amount unconstitutional.

15 EXPLANATION

16 This bill increases the jurisdictional amount for actions
17 or claims eligible to be heard and determined in small claims
18 court to actions involving \$8,000 or less for claims filed on
19 or after July 1, 2000. The current jurisdictional amount for
20 small claims is \$4,000 or less. The bill provides that the
21 jurisdictional amount shall revert to \$4,000 if a court finds
22 the \$8,000 limit unconstitutional. By increasing the
23 jurisdictional amount for small claims court, the bill expands
24 the jurisdiction of a magistrate or district associate judge
25 to hear and assess judgment on certain actions including
26 county and city violations.

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