FEB 1 5 2001 JUDICIARY

HOUSE FILE 280
BY CARROLL

Passed	House,	Date		Passed	Senate,	Date	
Vote:	Ayes _	Nay	s	Vote:	Ayes	Nays	
	I	Approved					

A BILL FOR

- 1 An Act relating to jurisdictional changes to small claims court
 2 cases.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

s.f. _____ H.f. <u>280</u>

- 1 Section 1. Section 631.1, subsection 1, unnumbered
- 2 paragraph 2, Code 2001, is amended to read as follows:
- 3 A civil action for a money judgment where the amount in
- 4 controversy is three-thousand-dollars-or-less-for-actions
- 5 commenced-on-or-after-July-1,-1994,-and-before-July-1,-1995,
- 6 and four thousand dollars or less for actions commenced on-or
- 7 after before July 1, 1995 2001, and six thousand dollars or
- 8 less for actions commenced on or after July 1, 2001, exclusive
- 9 of interest and costs.
- 10 Sec. 2. Section 631.1, subsections 3, 4, and 5, Code 2001,
- 11 are amended to read as follows:
- 12 3. The district court sitting in small claims has
- 13 concurrent jurisdiction of an action of replevin if the value
- 14 of the property claimed is three-thousand-dollars-or-less-for
- 15 actions-commenced-on-or-after-July-17-19947-and-before-July-17
- 16 1995, and four thousand dollars or less for actions commenced
- 17 on-or-after before July 1, 1995 2001, and six thousand dollars
- 18 or less for actions commenced on or after July 1, 2001. When
- 19 commenced under this chapter, the action is a small claim for
- 20 the purposes of this chapter.
- 21 4. The district court sitting in small claims has
- 22 concurrent jurisdiction of motions and orders relating to
- 23 executions against personal property, including garnishments,
- 24 where the value of the property or garnisheed money involved
- 25 is three-thousand-dollars-or-less-for-actions-commenced-on-or
- 26 after-July-17-19947-and-before-July-17-19957-and four thousand
- 27 dollars or less for actions commenced on-or-after before July
- 28 1, 1995 2001, and six thousand dollars or less for actions
- 29 commenced on or after July 1, 2001.
- 30 5. The district court sitting in small claims has
- 31 concurrent jurisdiction of an action for abandonment of a
- 32 mobile home or personal property pursuant to section 555B.3,
- 33 if no money judgment in excess of four thousand dollars is
- 34 sought for actions commenced on-or-after before July 1, 1995
- 35 2001, and six thousand dollars or less for actions commenced

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1 on or after July 1, 2001. If commenced under this chapter,
 2 the action is a small claim for the purposes of this chapter.
      Sec. 3. JURISDICTIONAL AMOUNT REVERSION.
 4 jurisdictional amount in sections 1 and 2 of this Act, which
 5 amends section 631.1, shall revert to four thousand dollars if
 6 a court of competent jurisdiction declares the six thousand
7 dollar amount unconstitutional.
                             EXPLANATION
 9
      This bill makes jurisdictional changes to small claims
10 court cases. The bill provides that a small claims court case
11 commenced on or after July 1, 2001, shall not involve damages
12 or value in excess of $6,000. Under existing law, a small
13 claims court case shall not involve damages or value in excess
14 of $4,000. The bill provides that the jurisdictional amount
15 shall revert to $4,000 if a court finds the $6,000 limit
16 unconstitutional. By increasing the jurisdictional amount for
17 small claims court the bill expands the jurisdiction of a
18 magistrate or district associate judge to hear and assess
19 judgment on certain actions, including county and city
20 violations.
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