

CHAPTER 1087
SMALL CLAIMS JURISDICTION
H.F. 518

AN ACT relating to jurisdictional changes to small claims court cases.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 631.1, subsection 1, unnumbered paragraph 2, Code Supplement 2001, is amended to read as follows:

A civil action for a money judgment where the amount in controversy is ~~three thousand dollars or less for actions commenced on or after July 1, 1994, and before July 1, 1995,~~ and four thousand dollars or less for actions commenced ~~on or after~~ before July 1, 1995 2002, and five thousand dollars or less for actions commenced on or after July 1, 2002, exclusive of interest and costs.

Sec. 2. Section 631.1, subsections 3, 4, and 5, Code Supplement 2001, are amended to read as follows:

3. The district court sitting in small claims has concurrent jurisdiction of an action of replevin if the value of the property claimed is ~~three thousand dollars or less for actions commenced on or after July 1, 1994, and before July 1, 1995,~~ and four thousand dollars or less for actions commenced ~~on or after~~ before July 1, 1995 2002, and five thousand dollars or less for actions commenced on or after July 1, 2002. When commenced under this chapter, the action is a small claim for the purposes of this chapter.

4. The district court sitting in small claims has concurrent jurisdiction of motions and orders relating to executions against personal property, including garnishments, where the value of the property or garnisheed money involved is ~~three thousand dollars or less for actions commenced on or after July 1, 1994, and before July 1, 1995,~~ and four thousand dollars or less for actions commenced ~~on or after~~ before July 1, 1995 2002, and five thousand dollars or less for actions commenced on or after July 1, 2002.

5. The district court sitting in small claims has concurrent jurisdiction of an action for abandonment of a manufactured or mobile home or personal property pursuant to section 555B.3, if no money judgment in excess of four thousand dollars is sought for actions commenced ~~on or after~~ before July 1, 1995 2002, and five thousand dollars or less for actions commenced on or after July 1, 2002. If commenced under this chapter, the action is a small claim for the purposes of this chapter.

Sec. 3. JURISDICTIONAL AMOUNT REVERSION. The jurisdictional amount in sections 1 and 2 of this Act, which amends section 631.1, shall revert to four thousand dollars if a court of competent jurisdiction declares the five thousand dollar amount unconstitutional.

Approved April 8, 2002