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# HOUSE BILL No. 1023

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 33-5-2-4; IC 33-11.6-4-2.

**Synopsis:** Small claims jurisdictional limitation. Increases the jurisdictional amount of Marion County small claims courts from \$6,000 to \$10,000. Increases the jurisdictional amount of other small claims courts in Indiana from \$3,000 to \$10,000.

**Effective:** July 1, 2001.

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January 8, 2001, read first time and referred to Committee on Courts and Criminal Code.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

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## HOUSE BILL No. 1023



A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 33-5-2-4, AS AMENDED BY P.L.180-1999,
- 2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2001]: Sec. 4. (a) ~~Except as provided in subsection (b)~~, The
- 4 small claims docket has jurisdiction over the following:
- 5 (1) Civil actions in which the amount sought or value of the
- 6 property sought to be recovered is not more than ~~three thousand~~
- 7 ~~dollars (\$3,000)~~ **ten thousand dollars (\$10,000)**. The plaintiff in
- 8 a statement of claim or the defendant in a counterclaim may
- 9 waive the excess of any claim that exceeds ~~three thousand dollars~~
- 10 ~~(\$3,000)~~ **ten thousand dollars (\$10,000)** in order to bring it
- 11 within the jurisdiction of the small claims docket.
- 12 (2) Possessory actions between landlord and tenant in which the
- 13 rent due at the time the action is filed does not exceed ~~three~~
- 14 ~~thousand dollars (\$3,000)~~ **ten thousand dollars (\$10,000)**.
- 15 (3) Emergency possessory actions between a landlord and tenant
- 16 under IC 32-7-9.
- 17 (b) ~~This subsection applies to a county having a population of more~~



1 than three hundred thousand (300,000) but less than four hundred  
2 thousand (400,000). The small claims docket has jurisdiction over the  
3 following:

4 (1) Civil actions in which the amount sought or value of the  
5 property sought to be recovered is not more than six thousand  
6 dollars (\$6,000). The plaintiff in a statement of claim or the  
7 defendant in a counterclaim may waive the excess of any claim  
8 that exceeds six thousand dollars (\$6,000) in order to bring it  
9 within the jurisdiction of the small claims docket.

10 (2) Possessory actions between landlord and tenant in which the  
11 rent due at the time the action is filed does not exceed six  
12 thousand dollars (\$6,000).

13 (3) Emergency possessory actions between a landlord and tenant  
14 under IC 32-7-9.

15 SECTION 2. IC 33-11.6-4-2 IS AMENDED TO READ AS  
16 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. The court shall have  
17 original and concurrent jurisdiction with the circuit and superior courts  
18 in all civil cases founded on contract or tort in which the debt or  
19 damage claimed does not exceed ~~six thousand dollars (\$6,000)~~, **ten**  
20 **thousand dollars (\$10,000)**, not including interest or attorney  
21 attorney's fees.

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