

SENATE MOTION

MR. PRESIDENT:

I move that Engrossed House Bill 1440 be amended to read as follows:

- 1 Page 2, between lines 2 and 3, begin a new paragraph and insert:
- 2 "SECTION 2. IC 33-5-2-4 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. **(a) Except as**
- 4 **provided in subsection (b)**, the small claims docket has jurisdiction
- 5 over the following:
- 6 (1) Civil actions in which the amount sought or value of the
- 7 property sought to be recovered is not more than three thousand
- 8 dollars (\$3,000). The plaintiff in a statement of claim or the
- 9 defendant in a counterclaim may waive the excess of any claim
- 10 that exceeds three thousand dollars (\$3,000) 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).
- 15 **(b) This subsection applies to a county having a population of**
- 16 **more than three hundred thousand (300,000) but less than four**
- 17 **hundred thousand (400,000). The small claims docket has**
- 18 **jurisdiction over the following:**
- 19 (1) Civil actions in which the amount sought or value of the
- 20 property sought to be recovered is not more than six thousand
- 21 dollars (\$6,000). The plaintiff in a statement of claim or the
- 22 defendant in a counterclaim may waive the excess of any
- 23 claim that exceeds six thousand dollars (\$6,000) in order to
- 24 bring it within the jurisdiction of the small claims docket.
- 25 (2) Possessory actions between landlord and tenant in which

- 26 **the rent due at the time the action is filed does not exceed six**
- 27 **thousand dollars (\$6,000)."**
- 28 Re-number all SECTIONS consecutively.

(Reference is to EHB 1440 as printed March 19, 1999.)

Senator WYSS