

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1152 be amended to read as follows:

1           Page 1, between lines 13 and 14, begin a new paragraph and insert:  
2           "SECTION 2. IC 33-35-2-4 IS AMENDED TO READ AS  
3           FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. A city court has  
4           concurrent jurisdiction with the circuit court in civil cases in which the  
5           amount in controversy does not exceed ~~five hundred three thousand~~  
6           dollars ~~(\$500)~~: **(\$3,000)**. However, the city court does not have  
7           jurisdiction in actions for:  
8               (1) slander;  
9               (2) libel;  
10              (3) foreclosure of mortgage on real estate, in which the title to real  
11              estate is in issue;  
12              (4) matters relating to a decedent's estate, appointment of  
13              guardians, and all related matters; and  
14              (5) actions in equity.  
15           SECTION 3. IC 33-35-2-5 IS REPEALED [EFFECTIVE JULY 1,  
16           2012]. Sec. 5: ~~The city court of each of the four (4) cities having the~~  
17           ~~largest populations and the town court of the town having the largest~~  
18           ~~population in a county having a population of more than four hundred~~  
19           ~~thousand (400,000) but less than seven hundred thousand (700,000)~~  
20           ~~have concurrent civil jurisdiction with the circuit court of the county~~  
21           ~~where the amount in controversy does not exceed three thousand~~  
22           ~~dollars (\$3,000): The court has jurisdiction in any action where the~~  
23           ~~parties or the subject matter are in the county in which the city or town~~  
24           ~~is located. However, the city or town court does not have jurisdiction~~

1 in:  
 2 (1) actions for slander or libel;  
 3 (2) matters relating to decedents' estates; appointment of  
 4 guardians; and all related matters;  
 5 (3) dissolution of marriage actions; or  
 6 (4) injunction or mandate actions:  
 7 SECTION 4. IC 33-35-2-6 IS REPEALED [EFFECTIVE JULY 1,  
 8 2012]. Sec. 6. A city court in a third class city that is not a county seat  
 9 and to which section 5 of this chapter does not apply has concurrent  
 10 jurisdiction with the circuit court in civil cases in which the amount in  
 11 controversy does not exceed three thousand dollars (\$3,000). However;  
 12 the city court does not have:  
 13 (1) jurisdiction in actions for:  
 14 (A) slander;  
 15 (B) libel;  
 16 (C) foreclosure of mortgages on real estate; in which the title  
 17 to real estate is in issue;  
 18 (D) all matters relating to a decedent's estate; appointment of  
 19 guardians and all related matters; and  
 20 (E) actions in equity; and  
 21 (2) original jurisdiction in which the principal defendant resides  
 22 within another city having a city court with a civil jurisdiction.  
 23 Judgments rendered in the city court, when a certified transcript is filed  
 24 with the clerk of the circuit court, have the same force as judgments  
 25 rendered in the circuit court."  
 26 Renumber all SECTIONS consecutively.  
 (Reference is to HB 1152 as printed January 28, 2012.)

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Representative Wolkins