

SENATE BILL No. 306

DIGEST OF INTRODUCED BILL

Citations Affected: IC 33-35-2; IC 33-37-11-3.

Synopsis: City courts. Increases the jurisdictional amount for certain city and town courts from \$3,000 to \$6,000. Specifies that money from the jury pay fund may be used by a city or town court to supplement the cost of jury fees.

Effective: July 1, 2012.

Landske

January 5, 2012, read first time and referred to Committee on Judiciary.

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Second Regular Session 117th General Assembly (2012)

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 2011 Regular Session of the General Assembly.

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SENATE BILL No. 306



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 33-35-2-5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. The city court of
3 each of the ~~four (4)~~ **five (5)** cities having the largest populations and
4 the town court of the town having the largest population in a county
5 having a population of more than four hundred thousand (400,000) but
6 less than seven hundred thousand (700,000) have concurrent civil
7 jurisdiction with the circuit court of the county where the amount in
8 controversy does not exceed ~~three thousand dollars (\$3,000)~~ **six**
9 **thousand dollars (\$6,000)**. The court has jurisdiction in any action
10 where the parties or the subject matter are in the county in which the
11 city or town is located. However, the city or town court does not have
12 jurisdiction in:
13 (1) actions for slander or libel;
14 (2) matters relating to decedents' estates, appointment of
15 guardians, and all related matters;
16 (3) dissolution of marriage actions; or
17 (4) injunction or mandate actions.



1 SECTION 2. IC 33-35-2-6 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. A city court in a
 3 third class city that is not a county seat and to which section 5 of this
 4 chapter does not apply has concurrent jurisdiction with the circuit court
 5 in civil cases in which the amount in controversy does not exceed ~~three~~
 6 ~~thousand dollars (\$3,000)~~ **six thousand dollars (\$6,000)**. However, the
 7 city court does not have:

8 (1) jurisdiction in actions for:

9 (A) slander;

10 (B) libel;

11 (C) foreclosure of mortgages on real estate, in which the title
 12 to real estate is in issue;

13 (D) all matters relating to a decedent's estate, appointment of
 14 guardians, and all related matters; and

15 (E) actions in equity; and

16 (2) original jurisdiction in which the principal defendant resides
 17 within another city having a city court with a civil jurisdiction.

18 Judgments rendered in the city court, when a certified transcript is filed
 19 with the clerk of the circuit court, have the same force as judgments
 20 rendered in the circuit court.

21 SECTION 3. IC 33-37-11-3, AS AMENDED BY P.L.118-2007,
 22 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2012]: Sec. 3. (a) Upon receipt of monthly claims submitted
 24 on oath to the county fiscal body by a clerk serving the county,
 25 **including the clerk of a city or town court**, the county fiscal body
 26 shall appropriate from the jury pay fund to the court served by the clerk
 27 an amount to supplement the cost of jury fees.

28 (b) After all claims received by a county fiscal body during a month
 29 have been paid under subsection (a), the county fiscal body may
 30 appropriate any unused and unencumbered money remaining in the
 31 jury pay fund to maintain and improve the jury system in the county.

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