

# HOUSE BILL No. 1281

---

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 33-28-3-4; IC 33-34-3.

**Synopsis:** Small claims court jurisdictional limits. Increases the jurisdictional limit on small claims court cases from \$6,000 to \$10,000. Increases the jurisdictional limit on Marion County small claims court cases from \$8,000 to \$10,000.

**Effective:** July 1, 2020.

---

---

## Carbaugh

---

---

January 14, 2020, read first time and referred to Committee on Courts and Criminal Code.

---

---



Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

# HOUSE BILL No. 1281

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 33-28-3-4 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) This section  
3 applies after June 30, 2005.  
4 (b) The 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 ~~six thousand~~  
7 ~~dollars (\$6,000)~~ **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 ~~six thousand dollars~~  
10 ~~(\$6,000)~~ **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 ~~six~~  
14 ~~thousand dollars (\$6,000)~~ **ten thousand dollars (\$10,000)**.  
15 (3) Emergency possessory actions between a landlord and tenant  
16 under IC 32-31-6.  
17 SECTION 2. IC 33-34-3-2, AS AMENDED BY P.L.170-2015,



1 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2020]: Sec. 2. The court has original and concurrent  
3 jurisdiction with the circuit and superior courts in all civil cases  
4 founded on contract or tort in which the debt or damage claimed does  
5 not exceed ~~eight thousand dollars (\$8,000);~~ **ten thousand dollars**  
6 **(\$10,000)**, not including interest or attorney's fees.  
7 SECTION 3. IC 33-34-3-3, AS AMENDED BY P.L.170-2015,  
8 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
9 JULY 1, 2020]: Sec. 3. The court has original and concurrent  
10 jurisdiction with the circuit and superior courts in possessory actions  
11 between landlord and tenant in which the past due rent at the time of  
12 filing does not exceed ~~eight thousand dollars (\$8,000);~~ **ten thousand**  
13 **dollars (\$10,000)**. The court also has original and concurrent  
14 jurisdiction with the circuit and superior courts in actions for the  
15 possession of property where the value of the property sought to be  
16 recovered does not exceed ~~eight thousand dollars (\$8,000);~~ **ten**  
17 **thousand dollars (\$10,000)**. These jurisdictional limitations are not  
18 affected by interest and attorney's fees.

