

SENATE BILL No. 422

DIGEST OF INTRODUCED BILL

Citations Affected: IC 33-35-2.

Synopsis: Civil claims jurisdiction of city courts. Provides a city court concurrent jurisdiction with the circuit court in civil cases in which the amount in controversy does not exceed \$10,000. Makes a technical correction and conforming changes.

Effective: July 1, 2023.

Leising, Freeman

January 19, 2023, read first time and referred to Committee on Judiciary.



First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

SENATE BILL No. 422

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 33-35-2-4 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 4. A city court has
3 concurrent jurisdiction with the circuit court in civil cases in which the
4 amount in controversy does not exceed ~~five hundred ten thousand~~
5 dollars (~~\$500~~). **(\$10,000)**. However, the city court does not have
6 jurisdiction in actions for:

- 7 (1) slander;
- 8 (2) libel;
- 9 (3) foreclosure of mortgage on real estate, in which the title to real
10 estate is in issue;
- 11 (4) matters relating to a decedent's estate, appointment of
12 guardians, and all related matters; and
- 13 (5) actions in equity.

14 SECTION 2. IC 33-35-2-5, AS AMENDED BY THE TECHNICAL
15 CORRECTIONS BILL OF THE 2023 GENERAL ASSEMBLY, IS
16 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:
17 Sec. 5. The city court of each of the five (5) cities having the largest



1 populations and the town court of the town having the largest
 2 population in a county having a population of more than four hundred
 3 thousand (400,000) ~~but and~~ less than seven hundred thousand
 4 (700,000) have concurrent civil jurisdiction with the circuit court of the
 5 county where the amount in controversy does not exceed ~~six ten~~
 6 thousand dollars (~~\$6,000~~). (**\$10,000**). The court has jurisdiction in any
 7 action where the parties or the subject matter are in the county in which
 8 the city or town is located. However, the city or town court does not
 9 have jurisdiction in:

- 10 (1) actions for slander or libel;
 11 (2) matters relating to decedents' estates, appointment of
 12 guardians, and all related matters;
 13 (3) dissolution of marriage actions; or
 14 (4) injunction or mandate actions.

15 SECTION 3. IC 33-35-2-6 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 6. A city court in a
 17 third class city that is not a county seat and to which section 5 of this
 18 chapter does not apply has concurrent jurisdiction with the circuit court
 19 in civil cases in which the amount in controversy does not exceed ~~three~~
 20 **ten** thousand dollars (~~\$3,000~~). (**\$10,000**). However, the city court does
 21 not have:

- 22 (1) jurisdiction in actions for:
 23 (A) slander;
 24 (B) libel;
 25 (C) foreclosure of mortgages on real estate, in which the title
 26 to real estate is in issue;
 27 (D) all matters relating to a decedent's estate, appointment of
 28 guardians and all related matters; and
 29 (E) actions in equity; and
 30 (2) original jurisdiction in which the principal defendant resides
 31 within another city having a city court with a civil jurisdiction.

32 Judgments rendered in the city court, when a certified transcript is filed
 33 with the clerk of the circuit court, have the same force as judgments
 34 rendered in the circuit court.

35 SECTION 4. IC 33-35-2-6.5 IS REPEALED [EFFECTIVE JULY
 36 1, 2023]. ~~Sec. 6.5: A city court in a city having a population of more~~
 37 ~~than ten thousand four hundred (10,400) and less than eleven thousand~~
 38 ~~(11,000) has concurrent jurisdiction with the circuit court in civil cases~~
 39 ~~in which the amount in controversy does not exceed one thousand five~~
 40 ~~hundred dollars (\$1,500). However, the city court does not have~~
 41 ~~jurisdiction in actions for:~~

- 42 (~~1~~) slander;



- 1 (2) libel;
- 2 (3) foreclosure of mortgage on real estate, in which the title to real
- 3 estate is in issue;
- 4 (4) matters relating to a decedent's estate, appointment of
- 5 guardians, and all related matters; and
- 6 (5) actions in equity.

