

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



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

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

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

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

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

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 IC 33-35-2-6.5 IS REPEALED [EFFECTIVE JULY 1, 2023].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

- ~~(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.

