

SENATE BILL No. 125

DIGEST OF INTRODUCED BILL

Citations Affected: IC 33-28-1-2; IC 33-29; IC 33-31-1-9; IC 33-34-3-3.

Synopsis: Marion County small claims court jurisdiction. Requires the following cases to be filed in a Marion County small claims court: (1) A possessory action between a landlord and a tenant in which the past due rent does not exceed \$10,000. (2) An action for the possession of property where the value of the property does not exceed \$10,000.

Effective: July 1, 2026.

Taylor G

December 11, 2025, read first time and referred to Committee on Judiciary.



Second Regular Session of the 124th General Assembly (2026)

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 2025 Regular Session of the General Assembly.

SENATE BILL No. 125

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 33-28-1-2, AS AMENDED BY P.L.195-2019,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 2. (a) All circuit courts have:
4 (1) original and concurrent jurisdiction in all civil cases and in all
5 criminal cases;
6 (2) original and concurrent jurisdiction with the superior courts in
7 all user fee cases;
8 (3) de novo appellate jurisdiction of appeals from city and town
9 courts; and
10 (4) in Marion County, de novo appellate jurisdiction of appeals
11 from township small claims courts established under IC 33-34 **but**
12 **not jurisdiction over a case that must originate in the Marion**
13 **County small claims court under IC 33-34-3-3.**
14 (b) The circuit court also has the appellate jurisdiction that may be
15 conferred by law upon it.
16 SECTION 2. IC 33-29-1-1.5, AS AMENDED BY P.L.195-2019,
17 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2026]: Sec. 1.5. All standard superior courts have:

- (1) original and concurrent jurisdiction in all civil cases and in all criminal cases;
- (2) original and concurrent jurisdiction with the circuit courts in all user fee cases;
- (3) de novo appellate jurisdiction of appeals from city and town courts; and
- (4) in Marion County, de novo appellate jurisdiction of appeals from township small claims courts established under IC 33-34 **but not jurisdiction over a case that must originate in the Marion County small claims court under IC 33-34-3-3.**

SECTION 3. IC 33-29-1.5-2, AS AMENDED BY P.L.195-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. All superior courts have:

- (1) original and concurrent jurisdiction in all civil cases and in all criminal cases;
- (2) original and concurrent jurisdiction with the circuit courts in all user fee cases;
- (3) de novo appellate jurisdiction of appeals from city and town courts; and
- (4) in Marion County, de novo appellate jurisdiction of appeals from township small claims courts established under IC 33-34 **but not jurisdiction over a case that must originate in the Marion County small claims court under IC 33-34-3-3.**

SECTION 4. IC 33-31-1-9, AS AMENDED BY P.L.201-2011, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. All probate courts have:

- (1) original and concurrent jurisdiction in all civil cases and in all criminal cases;
- (2) de novo appellate jurisdiction of appeals from city and town courts; and
- (3) in Marion County, de novo appellate jurisdiction of appeals from township small claims courts established under IC 33-34 **but not jurisdiction over a case that must originate in the Marion County small claims court under IC 33-34-3-3.**

SECTION 5. IC 33-34-3-3, AS AMENDED BY P.L.125-2021, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. The court has original ~~and concurrent~~ jurisdiction ~~with the circuit and superior courts~~ in possessory actions between landlord and tenant in which the past due rent at the time of filing does not exceed ten thousand dollars (\$10,000). The court also has original and concurrent jurisdiction with the circuit and superior



1 courts in actions for the possession of property where the value of the
2 property sought to be recovered does not exceed ten thousand dollars
3 (\$10,000). These jurisdictional limitations are not affected by interest
4 and attorney's fees.

