

## SENATE BILL NO. 398

INTRODUCED BY M. YAKAWICH

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE CAP FOR COLLECTIONS RELATED TO ACTIONS BROUGHT BEFORE A MUNICIPAL COURT; AND AMENDING SECTION 3-6-103, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 3-6-103, MCA, is amended to read:

**"3-6-103. Jurisdiction.** (1) Except as provided in subsection (2), the municipal court has jurisdiction coordinate and coextensive with the justices' courts of the county where the city is located and has exclusive original jurisdiction of all civil and criminal actions and proceedings provided for in 3-11-103.

(2) The municipal court has original jurisdiction of the following proceedings:

(a) actions for the collection of money due to the city or from the city to any person when the amount sought, exclusive of interest and costs, does not exceed ~~\$25,000~~ \$50,000;

(b) when the amount claimed, exclusive of costs, does not exceed ~~\$25,000~~ \$50,000, actions for:

(i) the breach of an official bond given by a city officer;

(ii) the breach of any contract when the city is a party or is in any way interested;

(iii) damages when the city is a party or is in any way interested;

(iv) the enforcement of forfeited recognizances given to, for the benefit of, or on behalf of the city;

and

(v) collections on bonds given upon an appeal taken from the judgment of the court in any action mentioned in subsections (2)(b)(i) through (2)(b)(iv); and

(c) actions for the recovery of personal property belonging to the city when the value of the property, exclusive of the damages for taking or detention, does not exceed ~~\$25,000~~ \$50,000.

(3) Municipal courts have concurrent jurisdiction with the district court in actions arising under Title 70, chapters 24 through 27.

(4) Applications for search warrants and complaints charging the commission of a felony may be

1 filed in municipal court. The municipal court judge has the same jurisdiction and responsibility as a justice of the  
2 peace, including holding preliminary hearings. The city attorney may initiate proceedings charging a felony if the  
3 offense was committed within the city limits, but the county attorney shall take charge of the action if an  
4 information is filed in district court."

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