

SECOND REGULAR SESSION

SENATE BILL NO. 847

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BARTLE.

Read 1st time January 11, 2006, and ordered printed.

TERRY L. SPIELER, Secretary.

4308S.011

AN ACT

To repeal sections 482.305 and 482.315, RSMo, and to enact in lieu thereof two new sections relating to the jurisdiction of small claims courts.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 482.305 and 482.315, RSMo, are repealed and two new
2 sections enacted in lieu thereof, to be known as sections 482.305 and 482.315, to
3 read as follows:

482.305. When sitting as a small claims court, the judge shall have
2 original jurisdiction of all civil cases, whether tort or contract, where the amount
3 in controversy does not exceed [three] **five** thousand dollars, exclusive of interest
4 or costs, or as provided in this chapter.

482.315. 1. If the amount in controversy in an action exceeds [three
2 thousand dollars] **the jurisdictional limit of the small claims court as**
3 **established in section 482.305**, a plaintiff may file and prosecute a small
4 claims action for recovery of money, but such plaintiff waives any claim for any
5 sum in excess of [three thousand dollars] **the jurisdictional limit** in that or in
6 any subsequent proceeding involving the same parties and issues.

7 2. In an action transferred under section 482.325, the plaintiff or
8 defendant may amend the claim or counterclaim to a dollar amount not to exceed
9 the jurisdictional limit of the division of the circuit court to which the action was
10 transferred.

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EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.