

## 2nd Sub. S.B. 176

### CIVIL FEES IN SMALL CLAIMS COURTS AMENDMENTS

HOUSE FLOOR AMENDMENTS

AMENDMENT 3

MARCH 4, 2009 2:53 PM

Representative **Rebecca D. Lockhart** proposes the following amendments:

1. *Page 1, Line 12 through Page 2, Line 26*

*Senate 3rd Reading Amendments*

*3-4-2009:*

- 12 This bill:
- 13 ▶ increases the jurisdictional amount for small claims court to \$12,500;
- 14 ▶ increases the filing fee for a small claims affidavit from \$45 to ~~{ \$ } { \$90 } \$75 ~~{ \$ }~~~~ \$55  
if the claim,
- 15 exclusive of court costs, interest, and attorney fees is \$2,000 or less;
- 16 ▶ increases the filing fee for a small claims affidavit from \$70 to ~~{ \$ } { \$140 } \$110~~  
~~{ \$ }~~ \$90 if the claim,
- 17 exclusive of court costs, interest, and attorney fees is between \$2,000 and \$7,500;
- 18 ▶ establishes the filing fee for a small claims affidavit at \$185 if the claim is between
- 19 \$7,500 and \$10,000;
- 20 ▶ establishes the filing fee for a small claims affidavit at \$300 if the claim is between
- 21 \$10,000 and \$12,500;
- 22 ▶ increases the filling fee for a small claims counter affidavit from \$35 to ~~{ \$ } { \$70 } \$65~~  
~~{ \$ }~~ \$45 if the
- 23 claim, exclusive of court costs, interest, and attorney fees is \$2,000 or less;
- 24 ▶ increases the filing fee for a small claims counter affidavit from \$50 to ~~{ \$ } { \$100 } \$90~~  
~~{ \$ }~~ \$70 if the
- 25 claim, exclusive of court costs, interest, and attorney fees is between \$2,000 and \$7,500;

2. *Page 2, Line 55 through Page 3, Line 59*

*Senate 3rd Reading Amendments*

*3-4-2009:*

- 55 (c) The fee for filing a small claims affidavit is:
- 56 (i) [~~\$45~~] ~~{ \$ } { \$55 } \$75 ~~{ \$ }~~~~ \$55 if the claim for damages or amount in interpleader  
exclusive of court
- 57 costs, interest, and attorney fees is \$2,000 or less; [~~and~~]
- 58 (ii) [~~\$70~~] ~~{ \$ } { \$90 } \$110 ~~{ \$ }~~~~ \$90 if the claim for damages or amount in interpleader  
exclusive of court
- 59 costs, interest, and attorney fees is greater than \$2,000[=], but less than \$7,500;

3. Page 3, Lines 75 through 79  
Senate 3rd Reading Amendments  
3-4-2009:

75 (e) The fee for filing a small claims counter affidavit is:

76 (i) [~~\$35~~] { ~~\$~~ → [\$45] ~~\$65~~ ← ~~\$~~ } \$45 if the claim for relief exclusive of court costs, interest, and  
attorney fees

77 is \$2,000 or less; [~~and~~]

78 (ii) [~~\$50~~] { ~~\$~~ → [\$70] ~~\$90~~ ← ~~\$~~ } \$70 if the claim for relief exclusive of court costs, interest, and  
attorney fees

79 is greater than \$2,000[-], but less than \$7,500;