



# House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL  
P.O. BOX 145030 • SALT LAKE CITY, UTAH 84114-5030 • (801) 538-1029

March 1, 2011

Madam Speaker:

The Judiciary Committee reports a favorable recommendation on **H.B. 376**, SMALL CLAIMS COURT JURISDICTION, by Representative R. Edwards, with the following amendments:

1. *Page 1, Lines 12 through 15:*

12 This bill:

13 ▶ allows a defendant in an action in district court to remove it to a small claims  
14 court

14 in the same jurisdiction if it is less than \$10,000 and the plaintiff agrees ; ~~{and}~~

15 ▶ requires that the defendant pay the small claims filing fee ; and  
▶ provides that the court may not charge the plaintiff a filing fee if the plaintiff  
appeals the small claims court judgment .

2. *Page 2, Lines 38 through 42:*

38 (2) (a) A defendant in an action filed in the district court that meets the  
39 requirement of

39 Subsection (1)(a)(i) may remove , if agreed to by the plaintiff, the action to a small  
40 claims court within the same district by:

40 ~~{(a)}~~ (i) giving notice , including the small claims filing number, to  
41 the ~~{plaintiff and}~~ district court of removal during the time afforded

41 for a responsive pleading; and

42 ~~{(b)}~~ (ii) paying the applicable small claims filing fee.

(b) No filing fee may be charged to a plaintiff to appeal a judgment on an  
action removed under Subsection (2)(a) to the district court where the action was  
originally filed.

Respectfully,

Kay L. McIff  
Committee Chair

Voting: 7-0-6

3 HB0376.HCI.WPD 3/1/11 8:10 pm /JDH ECM/JDH

Bill Number



HB0376

Action Class



H

Action Code



HCRAMD