

# H.B. 376

## SMALL CLAIMS COURT JURISDICTION

Representative **Rebecca P. Edwards** proposes 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 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 requirement of  
39 Subsection (1)(a)(i) may remove , if agreed to by the plaintiff, the action to a small claims court within the  
same district by:  
40 ~~{(a)}~~ (i) giving notice , including the small claims filing number, to 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.