

SECOND REGULAR SESSION

HOUSE BILL NO. 1255

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES NANCE (Sponsor), NIEVES, EMERY, SCHAAF, DAY, RUESTMAN, SCHAD, ATKINS, WALLACE, MEADOWS, LAIR, SANDER, SATER, NOLTE, KELLY, MCGHEE AND SMITH (150) (Co-sponsors).

3477L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 482.305 and 482.315, RSMo, and to enact in lieu thereof two new sections relating to small claims actions.

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Section A. Sections 482.305 and 482.315, RSMo, are repealed and two new sections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

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

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

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

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EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.