

1.1 CONFERENCE COMMITTEE REPORT ON S.F. No. 506

1.2 A bill for an act
1.3 relating to courts; increasing conciliation court civil claim limit; appropriating
1.4 money; amending Minnesota Statutes 2010, section 491A.01, subdivision 3.

1.5 April 30, 2012

1.6 The Honorable Michelle L. Fischbach
1.7 President of the Senate

1.8 The Honorable Kurt Zellers
1.9 Speaker of the House of Representatives

1.10 We, the undersigned conferees for S.F. No. 506 report that we have agreed upon the
1.11 items in dispute and recommend as follows:

1.12 That the House recede from its amendments and that S.F. No. 506 be further
1.13 amended as follows:

1.14 Delete everything after the enacting clause and insert:

1.15 "Section 1. Minnesota Statutes 2010, section 491A.01, subdivision 3, as amended by
1.16 Laws 2012, chapter 128, section 15, is amended to read:

1.17 Subd. 3. **Jurisdiction; general.** (a) Except as provided in subdivisions 4 and 5,
1.18 the conciliation court has jurisdiction to hear, conciliate, try, and determine civil claims if
1.19 the amount of money or property that is the subject matter of the claim does not exceed:
1.20 (1) ~~\$7,500~~ \$10,000; (2) \$4,000, if the claim involves a consumer credit transaction; or
1.21 (3) \$15,000, if the claim involves money or personal property subject to forfeiture under
1.22 section 84.7741, 169A.63, 609.5311, 609.5312, 609.5314, or 609.5318. "Consumer credit
1.23 transaction" means a sale of personal property, or a loan arranged to facilitate the purchase
1.24 of personal property, in which:

1.25 (1) credit is granted by a seller or a lender who regularly engages as a seller or
1.26 lender in credit transactions of the same kind;

1.27 (2) the buyer is a natural person;

1.28 (3) the claimant is the seller or lender in the transaction; and

2.1 (4) the personal property is purchased primarily for a personal, family, or household
2.2 purpose and not for a commercial, agricultural, or business purpose.

2.3 (b) Except as otherwise provided in this subdivision and subdivisions 5 to 10, the
2.4 territorial jurisdiction of conciliation court is coextensive with the county in which the
2.5 court is established. The summons in a conciliation court action under subdivisions 6 to
2.6 10 may be served anywhere in the state, and the summons in a conciliation court action
2.7 under subdivision 7, paragraph (b), may be served outside the state in the manner provided
2.8 by law. The court administrator shall serve the summons in a conciliation court action
2.9 by first class mail, except that if the amount of money or property that is the subject of
2.10 the claim exceeds \$2,500, the summons must be served by the plaintiff by certified mail,
2.11 and service on nonresident defendants must be made in accordance with applicable law
2.12 or rule. Subpoenas to secure the attendance of nonparty witnesses and the production of
2.13 documents at trial may be served anywhere within the state in the manner provided by law.

2.14 When a court administrator is required to summon the defendant by certified mail
2.15 under this paragraph, the summons may be made by personal service in the manner
2.16 provided in the Rules of Civil Procedure for personal service of a summons of the district
2.17 court as an alternative to service by certified mail.

2.18 (c) This subdivision expires August 1, 2014.

2.19 **EFFECTIVE DATE.** This section is effective August 1, 2012, and applies to claims
2.20 filed on or after that date.

2.21 Sec. 2. Minnesota Statutes 2010, section 491A.01, is amended by adding a subdivision
2.22 to read:

2.23 Subd. 3a. **Jurisdiction; general.** (a) Except as provided in subdivisions 4 and 5, the
2.24 conciliation court has jurisdiction to hear, conciliate, try, and determine civil claims if the
2.25 amount of money or property that is the subject matter of the claim does not exceed: (1)
2.26 \$15,000; or (2) \$4,000, if the claim involves a consumer credit transaction. "Consumer
2.27 credit transaction" means a sale of personal property, or a loan arranged to facilitate the
2.28 purchase of personal property, in which:

2.29 (1) credit is granted by a seller or a lender who regularly engages as a seller or
2.30 lender in credit transactions of the same kind;

2.31 (2) the buyer is a natural person;

2.32 (3) the claimant is the seller or lender in the transaction; and

2.33 (4) the personal property is purchased primarily for a personal, family, or household
2.34 purpose and not for a commercial, agricultural, or business purpose.

3.1 (b) Except as otherwise provided in this subdivision and subdivisions 5 to 10, the
3.2 territorial jurisdiction of conciliation court is coextensive with the county in which the
3.3 court is established. The summons in a conciliation court action under subdivisions 6 to
3.4 10 may be served anywhere in the state, and the summons in a conciliation court action
3.5 under subdivision 7, paragraph (b), may be served outside the state in the manner provided
3.6 by law. The court administrator shall serve the summons in a conciliation court action
3.7 by first class mail, except that if the amount of money or property that is the subject of
3.8 the claim exceeds \$2,500, the summons must be served by the plaintiff by certified mail,
3.9 and service on nonresident defendants must be made in accordance with applicable law
3.10 or rule. Subpoenas to secure the attendance of nonparty witnesses and the production of
3.11 documents at trial may be served anywhere within the state in the manner provided by law.

3.12 When a court administrator is required to summon the defendant by certified mail
3.13 under this paragraph, the summons may be made by personal service in the manner
3.14 provided in the Rules of Civil Procedure for personal service of a summons of the district
3.15 court as an alternative to service by certified mail.

3.16 **EFFECTIVE DATE.** This section is effective August 1, 2014, and applies to claims
3.17 filed on or after that date.

3.18 Sec. 3. **REVISOR'S INSTRUCTION.**

3.19 (a) The revisor shall correct the threshold monetary amount wherever it appears in
3.20 Minnesota Statutes consistent with changes in section 1.

3.21 (b) The revisor shall correct the threshold monetary amount and statutory cross
3.22 references wherever they appear in Minnesota Statutes consistent with changes in section
3.23 2.

3.24 **EFFECTIVE DATE.** Paragraph (a) is effective August 1, 2012, and paragraph
3.25 (b) is effective August 1, 2014."

3.26 Delete the title and insert:

3.27 "A bill for an act
3.28 relating to courts; increasing conciliation court civil claim limits; amending
3.29 Minnesota Statutes 2010, section 491A.01, subdivision 3, as amended, by adding
3.30 a subdivision."

4.1 We request the adoption of this report and repassage of the bill.

4.2 Senate Conferees:

4.3
4.4 Julianne E. Ortman Warren Limmer

4.5
4.6 James P. Metzen

4.7 House Conferees:

4.8
4.9 Ron Shimanski Pat Mazorol

4.10
4.11 Kory Kath