

## HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 1770

03/12/2015 Authored by Smith, Sanders and Pinto

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance

03/17/2015 By motion, recalled and re-referred to the Committee on Civil Law and Data Practices

03/23/2015 Adoption of Report: Amended and re-referred to the Committee on Public Safety and Crime Prevention Policy and Finance

03/26/2015 Adoption of Report: Placed on the General Register

Read Second Time

1.1 A bill for an act  
1.2 relating to courts; providing for conciliation court jurisdiction to determine  
1.3 claims by a county against a nonresident; amending Minnesota Statutes 2014,  
1.4 section 491A.01, subdivision 3a, by adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2014, section 491A.01, subdivision 3a, is amended to  
1.7 read:

1.8 Subd. 3a. **Jurisdiction; general.** (a) Except as provided in subdivisions 4 and 5, the  
1.9 conciliation court has jurisdiction to hear, conciliate, try, and determine civil claims if the  
1.10 amount of money or property that is the subject matter of the claim does not exceed: (1)  
1.11 \$15,000; or (2) \$4,000, if the claim involves a consumer credit transaction.

1.12 (b) "Consumer credit transaction" means a sale of personal property, or a loan  
1.13 arranged to facilitate the purchase of personal property, in which:

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

1.16 (2) the buyer is a natural person;

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

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

1.20 (c) Except as otherwise provided in this subdivision and subdivisions 5 to ~~10~~ 11, the  
1.21 territorial jurisdiction of conciliation court is coextensive with the county in which the  
1.22 court is established. The summons in a conciliation court action under subdivisions 6 to  
1.23 10 may be served anywhere in the state, and the summons in a conciliation court action  
1.24 under subdivision 7, paragraph (b), may be served outside the state in the manner provided

by law. The court administrator shall serve the summons in a conciliation court action by first class mail, except that if the amount of money or property that is the subject of the claim exceeds \$2,500, the summons must be served by the plaintiff by certified mail, and service on nonresident defendants must be made in accordance with applicable law or rule. Subpoenas to secure the attendance of nonparty witnesses and the production of documents at trial may be served anywhere within the state in the manner provided by law.

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

Sec. 2. Minnesota Statutes 2014, section 491A.01, is amended by adding a subdivision to read:

Subd. 11. **Jurisdiction; county claim against nonresident.** The conciliation court has jurisdiction to determine a civil action commenced by the county in which it is established to recover debts owed to the county for fees, services, overpayments, or similar obligations, even though the defendant is not a resident of the county.