

SENATE

STATE OF MINNESOTA

EIGHTY-SEVENTH LEGISLATURE

S.F. No. 149

(SENATE AUTHORS: ORTMAN, Newman, Thompson, Michel and Benson)

DATE	D-PG	OFFICIAL STATUS
01/31/2011	128	Introduction and first reading Referred to Judiciary and Public Safety
05/02/2011	1570a 1604	Comm report: To pass as amended Second reading
05/14/2011	2046	General Orders: To pass
05/16/2011	2082	Calendar: Third reading Passed
02/08/2012	3715 3715 3715	Returned from House with amendment Senate concurred and repassed bill Third reading
		Presentment date 02/08/12
02/13/2012	3778	Governor's action Veto Chapter 118 02/10/12
	3778	Veto message laid on table

1.1 A bill for an act

1.2 relating to civil actions; regulating certain conciliation court claims; permitting

1.3 appeals of certain court orders related to class actions; amending Minnesota

1.4 Statutes 2010, section 491A.01, subdivision 3; proposing coding for new law in

1.5 Minnesota Statutes, chapter 540.

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

1.7 Section 1. Minnesota Statutes 2010, section 491A.01, subdivision 3, is amended to

1.8 read:

1.9 Subd. 3. **Jurisdiction; general.** (a) Except as provided in subdivisions 4 and 5, the

1.10 conciliation court has jurisdiction to hear, conciliate, try, and determine civil claims if the

1.11 amount of money or property that is the subject matter of the claim does not exceed: (1)

1.12 ~~\$7,500; (2) \$4,000, \$10,000 or \$5,000~~ if the claim involves a consumer credit transaction;

1.13 or ~~(3)~~ (2) \$15,000, if the claim involves money or personal property subject to forfeiture

1.14 under section 609.5311, 609.5312, 609.5314, or 609.5318. "Consumer credit transaction"

1.15 means a sale of personal property, or a loan arranged to facilitate the purchase of personal

1.16 property, in which:

1.17 (1) credit is granted by a seller or a lender who regularly engages as a seller or

1.18 lender in credit transactions of the same kind;

1.19 (2) the buyer is a natural person;

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

1.21 (4) the personal property is purchased primarily for a personal, family, or household

1.22 purpose and not for a commercial, agricultural, or business purpose.

1.23 (b) Except as otherwise provided in this subdivision and subdivisions 5 to 10, the

1.24 territorial jurisdiction of conciliation court is coextensive with the county in which the

1.25 court is established. The summons in a conciliation court action under subdivisions 6 to

10 may be served anywhere in the state, and the summons in a conciliation court action 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.

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

Sec. 2. **[540.19] CLASS ACTIONS; INTERLOCUTORY APPEAL.**

A court order certifying a class action, refusing to certify a class action, or denying a motion to decertify a class action is appealable as a matter of right. While an appeal under this subdivision is pending, all discovery and other proceedings in the district court are automatically stayed, except that upon the motion of a party the district court may lift the stay, in whole or in part, for good cause shown.

EFFECTIVE DATE. This section is effective July 1, 2012, and applies to orders issued on or after that date.