

*Odde*

*85* LSO *0547*

# HOUSE BILL 0280

Title:

HB0280

AN ACT to amend W.S. 1-21-202(a) relating to small claims court; increasing the filing fee; and providing for an effective date.

HOUSE BILL 0280

Introduced by:

*Mary Cople*  
*W.S. Cople*  
*Bob Cople*  
*Devin W. Toppet*

DATE	ACTION	DATE	ACTION
JAN 1 4 1985	READ FIRST TIME		
	REFERRED TO COM. NO. <u>1</u>		
	DELIVERED TO COM. NO. <u>1</u>		
JAN 1 9 1985	RETURNED		
	Recommended Amend and Do Pass <i>92% 100%</i>		
JAN 2 4 1985	CONSIDERED IN COM. OF WHOLE		
	Standing Com. Amendment <i>HB 280 HS1</i>		
	ADOPTED		
	RECOMMENDED DO <u>PASS</u>		
JAN 2 5 1985	READ SECOND TIME		
JAN 2 6 1985	READ THIRD TIME		
	PASSED		
	<i>Aye 62 Noes 1 Absent 2</i>		
	Sent to Senate		
	ENGROSSED		
1-28-85	<i>Sent to Senate</i>		
1/28/85	Received from House		
	Read first time		
	Referred to Com. No. <u>1</u>		
	Delivered to Com. No. <u>1</u>		
2/7/85	STANDING COMM. REPORT		
	AMEND AND DO PASS		
2/11/85	CONSIDERED ON COM. OF WHOLE		
	STANDING COM. AMDT. ADOPTED <i>HB 280 SSV-A</i>		
	Recommended DO NOT PASS		
	Unanimously Rejected		

CONTINUED ON BACK

# 9613980 Hurd Reading Date 1/26/85  
OK

# HOUSE ROLL CALL

## FORTY-EIGHTH WYOMING LEGISLATURE

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
ARNOLD	✓				MURPHY	✓			
BAKER	✓				ODDE	✓			
BARLOW	✓				PARKER	✓			
BIRLEFFI	✓				PERKINS	✓			
BLACKWELL	✓				RATLIFF	✓			
BROWN	✓				ROBERTSON	✓			
BUDD	✓				RYCKMAN	✓			
BURNS	✓				SALISBURY	✓		✓	
BURTON	✓				SANDERS	✓			
BYRD	✓				SCHWOPE	✓			
CHAMBERLAIN	✓				SHREVE	✓			
CROSS	✓				<del>SIM</del>				
CROWLEY	✓				SIMONS	✓			
DICKEY	✓				SORENSEN	✓			
DOBOS	✓				STAUFFER	✓			
GERINGER	✓				STRAND	✓			
GETTER	✓				TATE	✓			
GRANT	✓				THOMAS	✓			
HAGEMAN	✓				TIBBS	✓			
HANSEN	✓				TIPPETS	✓			
HARRISON		✓			TIPTON	✓			
HERBST	✓				TYSDAL	✓			
HINES	✓				WAGGENER	✓			
HUMPHREY	✓				WALLIS	✓			
JACKSON	✓				WEAVER	✓			
JENSEN	✓				WOLFLEY	✓			
JONES	✓				ZIMMERMAN	✓			
KUNZ	✓				ZUMBRUNNEN	✓			
LAMB	✓				MR. SPEAKER	✓			
LUMMIS	✓								
MACMILLAN	✓								
MALDONADO	✓								
MARTON	✓								
MCILVAIN	✓								
MEENAN	✓								
MICHEL	✓								

PRESENT \_\_\_\_\_ AYES 62  
 NOES 1  
 EXCUSED 1  
 ABSENT \_\_\_\_\_  
 TOTAL 64  
 LESS \_\_\_\_\_

## THE LEGISLATURE OF THE STATE OF WYOMING

## House of Representatives

HB 0280 HSI/

Cheyenne, .....January 18....., 19 85.

Mr. Speaker:

Your Committee No. 1 on JUDICIARY

to whom was referred HB No. 0280

respectfully reports same back to the House with the recommendation that

HB0280 DO PASS with the following amendments:

Page 1 - line 9 Strike "7" insert "OR".

Page 2 - line 1 Strike "governmental-entity7-any-natural";  
strike "7-corporation7".

Page 2 - line 2 Strike line through "organization".

AYESNOESEXCUSEDRep. Hansen  
Harrison  
Odde  
Robertson  
Ryckman  
Tate  
Tipton  
Wolfley  
Crowley

0

Rep. Lummis

*Ellen Crowley*

Ellen Crowley

Chairman

DWS

# 91 B 7, 18, 48 Constitution Date 1/26/85

131, 221, 236,  
246 A, 280, 343

HOUSE ROLL CALL

FORTY-EIGHTH WYOMING LEGISLATURE

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
ARNOLD	✓				MURPHY	✓			
BAKER	✓				ODDE	✓			
BARLOW	✓				PARKER	✓			
BIRLEFFI	✓				PERKINS	✓			
BLACKWELL	✓				RATLIFF	✓			
BROWN	✓				ROBERTSON	✓			
BUDD	✓				RYCKMAN	✓			
BURNS	✓				SALISBURY	✓		✓	
BURTON	✓				SANDERS	✓			
BYRD	✓				SCHWOPE	✓			
CHAMBERLAIN	✓				SHREVE	✓			
CROSS	✓				<del>SIMON</del>				
CROWLEY	✓				SIMONS	✓			
DICKEY	✓				SORENSEN	✓			
DOBOS	✓				STAUFFER	✓			
GERINGER	✓				STRAND	✓			
GETTER	✓				TATE	✓			
GRANT	✓				THOMAS	✓			
HAGEMAN	✓				TIBBS	✓			
HANSEN	✓				TIPPETS	✓			
HARRISON	✓				TIPTON	✓			
HERBST	✓				TYSDAL	✓			
HINES	✓				WAGGENER	✓			
HUMPHREY	✓				WALLIS	✓			
JACKSON	✓				WEAVER	✓			
JENSEN	✓				WOLFLEY	✓			
JONES	✓				ZIMMERMAN	✓			
KUNZ	✓				ZUMBRUNNEN	✓			
LAMB	✓				MR. SPEAKER	✓			
LUMMIS	✓				PRESENT _____				AYES <u>63</u>
MACMILLAN	✓								NOES _____
MALDONADO	✓								EXCUSED <u>1</u>
MARTON	✓								ABSENT _____
MCILVAIN	✓								TOTAL <u>64</u>
MEENAN	✓								LESS _____
MICHEL	✓								

HB 280

HB0280SS1/A

TO ENGROSSED COPY

Page 1-line 9

Reinsert stricken "7" and delete "OR".

Page 2-lines 1 and 2

Reinsert stricken language. -ARNEY.

House of Intro  
To Com. No. \_\_\_\_\_  
Stand Report Do \_\_\_ Amd \_\_\_ Not \_\_\_  
Com Whole Do \_\_\_ Amd \_\_\_ Not \_\_\_  
2nd Reading Amd \_\_\_  
3rd Reading Amd \_\_\_ Pass \_\_\_ Fail \_\_\_

Second House  
To Com No. \_\_\_\_\_  
Stand Report Do \_\_\_ Amd \_\_\_ Not \_\_\_  
Com Whole Do \_\_\_ Amd \_\_\_ Not \_\_\_  
2nd Reading Amd \_\_\_  
3rd Reading Amd \_\_\_ Pass \_\_\_ Fail \_\_\_

1985

STATE OF WYOMING

**INTRODUCED**  
85LSO-0547.01

HOUSE BILL NO. 0280

Small claims court fee.

Sponsored by: Representative(s) ODDE, BAKER, TIPPETS and TIPTON

A BILL

for

1 AN ACT to amend W.S. 1-21-202(a) relating to small claims  
2 court; increasing the filing fee; and providing for an  
3 effective date.

4 Be It Enacted by the Legislature of the State of Wyoming:

5 Section 1. W.S. 1-21-202(a) is amended to read:

6 1-21-202. Commencement of actions; fee; remedy cumu-  
7 lative; continuance to obtain attorney; docketing.

8 (a) Actions may be commenced, heard and determined  
9 under W.S. 1-21-201 through 1-21-205 if the state, any

1 governmental entity, any natural person, corporation,  
2 partnership, association or other organization appears  
3 before any justice of the peace or county court and exe-  
4 cutes an affidavit reciting the full address of the  
5 defendant within the county, the nature of the claim, the  
6 amount due and stating that demand has been made and pay-  
7 ment refused. The plaintiff shall deposit an appearance  
8 fee of ~~four~~ TEN dollars ~~(\$4.00)~~ (\$10.00) which shall be  
9 retained by the court as costs and taxed to the party  
10 against whom judgment is rendered. The remedy provided by  
11 this ~~act~~ ARTICLE is cumulative and not exclusive.

12 Section 2. This act is effective May 23, 1985.

13 (END)

FISCAL NOTE

<u>Anticipated REVENUE to:</u>	<u>Fiscal Year 1986</u>	<u>Fiscal Year 1987</u>
General Fund	\$60,962.00	\$60,962.00
TOTAL ESTIMATED REVENUE	\$60,962.00	\$60,962.00

<u>Anticipated COST to:</u>	<u>Fiscal Year 19</u>	<u>Fiscal Year 19</u>
_____	_____	_____
_____	_____	_____
TOTAL ESTIMATED COST	_____	_____

1. In counties where justice of the peace courts still operate, the counties would receive the increased filing fees.
2. No apparent personnel impact.



House of Intro  
To Com. No. \_\_\_\_\_  
Stand Report Do Amd Not  
Com Whole Do Amd Not  
2nd Reading Amd  
3rd Reading Amd Pass Fail

Second House  
To Com No. \_\_\_\_\_  
Stand Report Do Amd Not  
Com Whole Do Amd Not  
2nd Reading Amd  
3rd Reading Amd Pass Fail

1985

STATE OF WYOMING

85LSO-0547/eng

HOUSE BILL NO. 0280

**ENGROSSED**

Small claims court fee.

Sponsored by: Representative(s) ODDE, BAKER, TIPPETS and TIPTON

A BILL

for

1 AN ACT to amend W.S. 1-21-202(a) relating to small claims  
2 court; increasing the filing fee; and providing for an  
3 effective date.

4 Be It Enacted by the Legislature of the State of Wyoming:

5 Section 1. W.S. 1-21-202(a) is amended to read:

6 1-21-202. Commencement of actions; fee; remedy cumu-  
7 lative; continuance to obtain attorney; docketing.

8 (a) Actions may be commenced, heard and determined  
9 under W.S. 1-21-201 through 1-21-205 if the state, OR any

1 governmental--entity,--any--natural person,--corporation,  
2 partnership,--association--or--other--organization appears  
3 before any justice of the peace or county court and exe-  
4 cutes an affidavit reciting the full address of the  
5 defendant within the county, the nature of the claim, the  
6 amount due and stating that demand has been made and pay-  
7 ment refused. The plaintiff shall deposit an appearance  
8 fee of ~~four~~ TEN dollars ~~(\$4.00)~~ (\$10.00) which shall be  
9 retained by the court as costs and taxed to the party  
10 against whom judgment is rendered. The remedy provided by  
11 this ~~act~~ ARTICLE is cumulative and not exclusive.

12           Section 2. This act is effective May 23, 1985.

13 (END)

- 1 ~~HB0230HS1/A~~
- 2 ✓ Page 1-line 9 Strike "7" insert "OR".
- 3 ✓ Page 2-line 1 Strike "governmental-entity7-any--natural";
- 4 strike "7-corporation7".
- 5 ✓ Page 2-line 2 Strike line through "organisation".
- 6 -CROWLEY, CHAIRMAN ~~MM~~ **ADOPTED**