
A BILL FOR AN ACT

RELATING TO SMALL CLAIMS COURT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 633-27, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) All district courts, except as otherwise provided,
4 shall exercise jurisdiction conferred by this chapter, and while
5 sitting in the exercise of that jurisdiction, shall be known and
6 referred to as the small claims division of the district court;
7 provided that the jurisdiction of the court when sitting as a
8 small claims division of the district court shall be confined
9 to:

10 (1) Cases for the recovery of money only where the amount
11 claimed does not exceed [~~\$3,500~~] \$4,500, exclusive of
12 interest and costs, except as provided by section
13 633-30;

14 (2) Cases involving disagreement between landlord and
15 tenant about the security deposit in a residential
16 landlord-tenant relationship; and



1 (3) Cases for the return of leased or rented personal
2 property worth [~~\$3,500~~] \$4,500 or less where the
3 amount claimed owed for that lease or rental does not
4 exceed [~~\$3,500~~] \$4,500, exclusive of interest and
5 costs.

6 This chapter shall not abridge or affect the jurisdiction of the
7 district courts under paragraphs (1) and (3) to determine cases
8 under the ordinary procedures of the court, it being optional
9 with [~~the plaintiff~~] either party in the cases to elect the
10 procedure of the small claims division of the district court or
11 the ordinary procedures, as provided by rule of court. No case
12 filed in the small claims division after December 31, 1991,
13 shall be removed from the small claims division to be heard
14 under the ordinary procedures of the district court unless the
15 removal is agreed to by [~~the plaintiff.~~] either party. In cases
16 arising under paragraph (2) the jurisdiction of the small claims
17 division of the district court shall be exclusive; provided that
18 the district court, having jurisdiction over a civil action
19 involving summary possession, shall have concurrent jurisdiction
20 with the small claims division of the district court over any
21 security deposit dispute between landlord and tenant in a



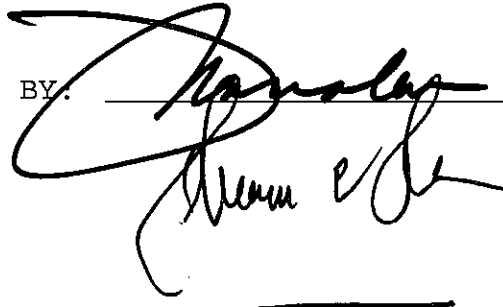
1 residential landlord-tenant relationship. This subsection shall
2 not abrogate nor supersede sections 604-5, 633-30, and 633-31."


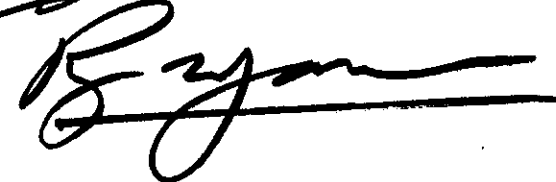
3 SECTION 2. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:



~~AND~~ D.C. Keith-Case



JAN 25 2011



Report Title:

Small Claims Court; Monetary Limit

Description:

Increases the monetary limit of claims that may be filed in small claims court.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

