

JAN 17 2014

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## A BILL FOR AN ACT

RELATING TO COURTS.

**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 [~~\$5,000~~] \$7,500 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

17           (3) Cases for the return of leased or rented personal  
18           property worth less than [~~\$5,000~~] \$7,500 where the



1 amount claimed owed for that lease or rental is less  
2 than [~~\$5,000~~] \$7,500 exclusive of interest and costs.  
3 This chapter shall not abridge or affect the jurisdiction of the  
4 district courts under paragraphs (1) and (3) to determine cases  
5 under the ordinary procedures of the court, it being optional  
6 with the plaintiff in the cases to elect the procedure of the  
7 small claims division of the district court or the ordinary  
8 procedures, as provided by rule of court. No case filed in the  
9 small claims division after December 31, 1991, shall be removed  
10 from the small claims division to be heard under the ordinary  
11 procedures of the district court unless the removal is agreed to  
12 by the plaintiff. In cases arising under paragraph (2), the  
13 jurisdiction of the small claims division of the district court  
14 shall be exclusive; provided that the district court, having  
15 jurisdiction over a civil action involving summary possession,  
16 shall have concurrent jurisdiction with the small claims  
17 division of the district court over any security deposit dispute  
18 between landlord and tenant in a residential landlord-tenant  
19 relationship. This subsection shall not abrogate or supersede  
20 sections 604-5, 633-30, and 633-31."

21 SECTION 2. Statutory material to be repealed is bracketed  
22 and stricken. New statutory material is underscored.



1 SECTION 3. This Act shall take effect on July 1, 2014.

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INTRODUCED BY:

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# S.B. NO. 2311

**Report Title:**

Small Claims Court

**Description:**

Increases monetary jurisdictional limit of 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.*

