

SECOND REGULAR SESSION

**HOUSE BILL NO. 1146**

**92ND GENERAL ASSEMBLY**

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INTRODUCED BY REPRESENTATIVES STEVENSON (Sponsor),  
MOORE AND RUESTMAN (Co-sponsors).

Read 1<sup>st</sup> time January 15, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3858L.011

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**AN ACT**

To repeal section 482.330, RSMo, and to enact in lieu thereof one new section relating to small claims actions.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 482.330, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 482.330, to read as follows:

482.330. 1. No claim may be filed or prosecuted in small claims court by a party who:

(1) Is an assignee of the claim; or

(2) Has filed more than [eight] **three** other claims in the Missouri small claims courts **in a thirty-day period or** during the current calendar [year] **month**. If the court finds that a party has filed more claims than are permitted by this section, the court shall dismiss the claim without prejudice.

2. At the time of filing an action in small claims court, a plaintiff shall sign a statement that he **or she** is not the assignee of the claim sued on and that he **or she** has not filed more than [eight] **three** other claims in the Missouri small claims courts **in a thirty-day period or** during the current calendar [year] **month**.

3. Nothing in this section shall prohibit the filing or prosecution of a counterclaim growing out of the same transaction or occurrence.

4. No claim may be filed in a small claims court unless:

(1) At least one defendant is a resident of the county in which the court is located or at least one of the plaintiffs is a resident of the county in which the court is located and at least one defendant may be found in said county; or

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is proposed language.**

17           (2) The facts giving rise to the cause of action took place within the county in which the  
18 court is located.