

As Amended by Senate Committee

SENATE BILL No. 59

By Committee on Judiciary

1-22

1 AN ACT concerning district magistrate judges; relating to jurisdiction;
2 appeals; amending K.S.A. 2014 Supp. 20-302b and repealing the
3 existing section.
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2014 Supp. 20-302b is hereby amended to read as
7 follows: 20-302b.(a) Subject to assignment pursuant to K.S.A. 20-329, and
8 amendments thereto, a district magistrate judge shall have the jurisdiction
9 and power, in any case in which a violation of the laws of the state is
10 charged, to conduct the trial of traffic infractions, ~~wildlife and parks~~

11 ~~violations~~, cigarette or tobacco infractions or misdemeanor charges, to
12 conduct felony first appearance hearings and the preliminary examination
13 of felony charges and to hear misdemeanor or felony arraignments. A
14 ~~district magistrate judge shall have jurisdiction over uncontested actions~~
15 ~~for divorce~~. Except as otherwise specifically provided in this section, in
16 ~~civil cases~~, a district magistrate judge shall have jurisdiction over actions
17 filed under the code of civil procedure for limited actions, K.S.A. 61-2801
18 et seq., and amendments thereto, and ~~all other civil cases~~, and ~~shall have~~
19 concurrent jurisdiction, powers and duties with a district judge. ~~Except as~~
20 ~~otherwise specifically provided in this subsection and subsection (b)~~
21 ~~section, in all other civil cases, a district magistrate judge shall have~~
22 ~~jurisdiction over any civil action not filed under the code of civil~~
23 ~~procedure for limited actions only with the consent of the parties. A district~~
24 ~~magistrate judge shall have jurisdiction over uncontested actions for~~
25 ~~divorce. Except with consent of the parties, or as otherwise specifically~~
26 ~~provided in this section, a district magistrate judge shall not have~~
27 ~~jurisdiction or cognizance over the following actions:~~

28 (1) Any action, other than an action seeking judgment for an
29 unsecured debt not sounding in tort and arising out of a contract for the
30 provision of goods, services or money, in which the amount in controversy,
31 exclusive of interests and costs, exceeds \$10,000. The provisions of this
32 subsection shall not apply to actions filed under the code of civil
33 procedure for limited actions, K.S.A. 61-2801 et seq., and amendments
34 thereto. In actions of replevin, the affidavit in replevin or the verified
35 petition fixing the value of the property shall govern the jurisdiction.
36 Nothing in this paragraph shall be construed as limiting the power of a

Proposed Amendment to SB 59
For Committee on Judiciary
Prepared By: Katherine Goyette, Office of
Revisor of Statutes
March 19, 2015 12:21

violations of the wildlife, parks and
tourism laws of this state or rules and
regulations adopted thereunder,