

Moved by Galloway

Seconded by Lakey

IN THE SENATE  
SENATE AMENDMENT TO S.B. NO. 1330

AMENDMENT TO THE BILL

1  
2 On page 1 of the printed bill, following line 21, insert:

3 "SECTION 2. That Section 1-2311, Idaho Code, be, and the same is hereby  
4 amended to read as follows:

5 1-2311. APPEAL TO LAWYER MAGISTRATE. If either party is dissatisfied,  
6 he may, within thirty (30) days from the entry of said judgment against him,  
7 appeal to a lawyer magistrate other than the magistrate who entered said  
8 judgment; and if the final judgment is rendered against him by such lawyer  
9 magistrate, then he shall pay, in addition to any judgment rendered in the  
10 magistrate's division, an attorney's fee to the prevailing party ~~in the sum~~  
11 ~~of twenty-five dollars (\$25.00)~~ as provided in section 12-120(6), Idaho  
12 Code, provided, however, that appeals from such small claims department  
13 shall be allowed only in such cases as appeals would be allowed if the action  
14 were instituted in the magistrate's division as is now provided, and further  
15 provided that the appeal shall be heard in the county wherein the original  
16 small claim was filed. A fee of twenty dollars (\$20.00) shall be paid by  
17 the party taking the appeal, which shall be paid to the county treasurer who  
18 shall, within fifteen (15) days after the end of the month, pay such fees to  
19 the state treasurer for deposit into the court technology fund.";  
20 and in line 22, delete "2" and insert: "3".

21 CORRECTION TO TITLE

22 On page 1, in line 4, following "CLAIM;" insert: "AMENDING SECTION  
23 1-2311, IDAHO CODE, TO REVISE A PROVISION REGARDING ATTORNEY'S FEES;".