

1 to the following:
 2
 3
 4
 5
 6 That the defendants claim or may claim to be entitled to the
 7 money. That the plaintiff deposits into the court \$.....,
 8 which represents the amount of money in dispute.

9 That the plaintiff resides at the address shown.
 10

11 Affiant

12 Subscribed and sworn to before me this day of
 13, 19....

14
 15 Justice of the Peace

16
 17 Clerk

18 ORDER

19 The State of Montana to the within named defendants,
 20 greeting:

21 You are hereby directed to appear and answer the within
 22 and foregoing claim at my office in (name,
 23 building, or residence), in, County of
 24, State of Montana, on the day of
 25, 19...., at the hour of(AM)(PM); and to have

1 with you then and there, all books, papers, and witnesses
 2 needed by you to establish your claim to such money.

3 You are further notified that in case you do not so
 4 appear, judgment will be given against you as follows:

5 Determining or foreclosing your claim to the
 6 above-described money, as well as the disposition thereof;
 7 and, in addition, for costs of the action.

8 Dated this day of, 19....
 9

10 Justice of the Peace

11
 12 Clerk

13 (4) The small claims court may order that court costs
 14 be reimbursed from the interpleaded funds. The clerk shall
 15 disburse the interpleaded funds in accordance with the order
 16 of the justice of the peace.

17 NEW SECTION. Section 3. Codification instruction.

18 [Section 2] is intended to be codified as an integral part
 19 of Title 25, chapter 35, part 6, and the provisions of Title
 20 25, chapter 35, part 6, apply to [section 2].

21 NEW SECTION. Section 4. Applicability. [Section 2]

22 applies to actions arising on or after October 1, 1991.

-End-

1 of \$....., held pursuant to the following:
 2
 3
 4
 5
 6 That the defendants claim or may claim to be entitled to the
 7 money. That the plaintiff deposits into the court \$.....,
 8 which represents the amount of money in dispute.

9 That the plaintiff resides at the address shown ~~in the~~
 10 ~~above-caption.~~

11
 12 Affiant

13 Subscribed and sworn to before me this day of
 14, 19....

15
 16 ~~Justice-of-the-Peace~~

17 District Judge
 18

19 Clerk

20 ORDER

21 The State of Montana to the within named defendants,
 22 greeting:

23 You are hereby directed to appear and answer the within
 24 and foregoing claim at my office in (name,
 25 building, or residence), in, County of

1, State of Montana, on the day of
 2, 19...., at the hour of(AM)(PM); and to have
 3 with you then and there, all books, papers, and witnesses
 4 needed by you to establish your claim to such money.

5 You are further notified that in case you do not so
 6 appear, judgment will be given against you as follows:

7 Determining or foreclosing your claim to the
 8 above-described money, as well as the disposition thereof;
 9 and, in addition, for costs of the action.

10 Dated this day of, 19....
 11

12 ~~Justice-of-the-Peace~~
 13 District Judge

14
 15 Clerk"

16 NEW SECTION. Section 2. Interpleader actions. (1) As

17 used in this chapter, interpleader actions determine the
 18 rights of rival claimants to a fund held by a disinterested
 19 party and may be maintained in the justice's court when any
 20 person appears before a justice of the peace and executes an
 21 affidavit setting forth the nature and basis of the claim.

22 (2) The person filing the interpleader affidavit shall
 23 deposit the funds with the justice of the peace at the same
 24 time the interpleader affidavit is filed.

25 (3) The interpleader must be substantially in the

1 following form:

2 In the Justice's Court of the State of Montana in and
3 for the County of, before,
4 Justice of the Peace.

5,

6 Plaintiff

7 vs.

8, INTERPLEADER AFFIDAVIT

9 Defendant

10 and

11,

12 Defendant

13 State of Montana)

14) ss

15)

16, being duly sworn, deposes and says:

17 That....., a defendant, resides at

18 That....., a defendant, resides

19 at That the plaintiff has custody or

20 possession of money in the amount of \$....., held pursuant

21 to the following:

22

23

24

25

1 That the defendants claim or may claim to be entitled to the
2 money. That the plaintiff deposits into the court \$.....,
3 which represents the amount of money in dispute.

4 That the plaintiff resides at the address shown.

5

6 Affiant

7 Subscribed and sworn to before me this day of

8, 19....

9

10 Justice of the Peace

11

12 Clerk

13 ORDER

14 The State of Montana to the within named defendants,
15 greeting:

16 You are hereby directed to appear and answer the within
17 and foregoing claim at my office in (name,
18 building, or residence), in, County of
19, State of Montana, on the day of
20, 19...., at the hour of(AM)(PM); and to have
21 with you then and there, all books, papers, and witnesses
22 needed by you to establish your claim to such money.

23 You are further notified that in case you do not so
24 appear, judgment will be given against you as follows:

25 Determining or foreclosing your claim to the

1 above-described money, as well as the disposition thereof;
2 and, in addition, for costs of the action.

3 Dated this day of, 19.....
4
5 Justice of the Peace
6
7 Clerk

8 **Section 3.** Section 25-35-502, MCA, is amended to read:

9 **"25-35-502. Jurisdiction.** (1) The small claims court
10 has jurisdiction over all actions for the recovery of money
11 or specific personal property when the amount claimed does
12 not exceed \$2,500, exclusive of costs, and the defendant can
13 be served within the county where the action is commenced.

14 (2) The small claims court has jurisdiction over an
15 interpleader under [section 4] in which the amount claimed
16 does not exceed \$2,500."

17 **NEW SECTION. Section 4. Interpleader actions.** (1) As
18 used in this chapter, interpleader actions determine the
19 rights of rival claimants to a fund held by a disinterested
20 party and may be maintained in the small claims division of
21 the justice's court when any person appears before a justice
22 of the peace and executes an affidavit setting forth the
23 nature and basis of the claim.

24 (2) The person filing the interpleader affidavit shall
25 deposit the funds with the justice of the peace at the same

1 time the interpleader affidavit is filed.

2 (3) The interpleader must be substantially in the
3 following form:

4 In the Small Claims Division of the Justice's Court of
5 County, Montana before, Justice of
6 the Peace.

7,

8 Plaintiff

9 vs.

10, INTERPLEADER AFFIDAVIT

11 Defendant

12 and

13,

14 Defendant

15 State of Montana)

16) ss

17)

18, being duly sworn, deposes and says:

19 That....., a defendant, resides at

20 That....., a defendant, resides

21 at That the plaintiff has custody or

22 possession of money in the amount of \$....., held pursuant

23 to the following:

24

25

1
2
3 That the defendants claim or may claim to be entitled to the
4 money. That the plaintiff deposits into the court \$.....,
5 which represents the amount of money in dispute.

6 That the plaintiff resides at the address shown.
7
8 Affiant

9 Subscribed and sworn to before me this day of
10, 19....

11
12 Justice of the Peace
13
14 Clerk

15 ORDER

16 The State of Montana to the within named defendants,
17 greeting:

18 You are hereby directed to appear and answer the within
19 and foregoing claim at my office in (name,
20 building, or residence), in, County of
21, State of Montana, on the day of
22, 19...., at the hour of(AM)(PM); and to have
23 with you then and there, all books, papers, and witnesses
24 needed by you to establish your claim to such money.

25 You are further notified that in case you do not so

1 appear, judgment will be given against you as follows:

2 Determining or foreclosing your claim to the
3 above-described money, as well as the disposition thereof;
4 and, in addition, for costs of the action.

5 Dated this day of, 19....
6
7 Justice of the Peace
8
9 Clerk

10 NEW SECTION. Section 5. Codification instruction. (1)
11 [Section 2] is intended to be codified as an integral part
12 of Title 25, chapter 31, part 1, and the provisions of Title
13 25, chapter 31, part 1, apply to [section 2].

14 (2) [Section 4] is intended to be codified as an
15 integral part of Title 25, chapter 35, part 5, and the
16 provisions of Title 25, chapter 35, part 5, apply to
17 [section 4].

18 NEW SECTION. Section 6. Applicability. [Sections 2 and
19 4] apply to actions arising on or after October 1, 1991.

-End-

1 SENATE BILL NO. 87
 2 INTRODUCED BY B. BROWN
 3 BY REQUEST OF THE BOARD OF REALTY REGULATION
 4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING--FOR--AN
 6 INTERPLEADER--ACTION--IN--A--JUSTICE'S--COURT--SMALL--CLAIMS
 7 PROCEDURE;--AMENDING--SECTION--25--35--502,--MCA;--AND--PROVIDING--AN
 8 APPLICABILITY--DATE; CLARIFYING THE JURISDICTION OF THE SMALL
 9 CLAIMS DIVISION OF DISTRICT COURTS AND ALLOWING INTERPLEADER
 10 ACTIONS TO BE FILED IN JUSTICES' COURTS AND IN THE SMALL
 11 CLAIMS DIVISION OF JUSTICES' COURTS; AMENDING SECTIONS
 12 25-34-106 AND 25-35-502, MCA; AND PROVIDING AN APPLICABILITY
 13 DATE."

15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

16 (Refer to Introduced Bill)

17 Strike everything after the enacting clause and insert:

18 **Section 1.** Section 25-34-106, MCA, is amended to read:

19 "25-34-106. Interpleader actions. (1) As used in this
 20 chapter, interpleader actions determine the rights of rival
 21 claimants to a fund held by a disinterested party and may be
 22 maintained in the small claims court when any person appears
 23 before a judge or clerk of court ~~or justice of the peace~~ and
 24 executes an affidavit setting forth the nature and basis of
 25 the claim.

1 (2) The person filing the interpleader affidavit shall
 2 deposit the funds with the clerk of court ~~or justice of the~~
 3 ~~peace~~ at the same time the interpleader affidavit is filed.

4 (3) The interpleader must be substantially in the
 5 following form:

6 In the Small Claims Court of the Judicial
 7 District in and for the County of, State of
 8 Montana.

9
 10 Plaintiff
 11 vs.
 12 INTERPLEADER AFFIDAVIT
 13 Defendant
 14 and
 15
 16 Defendant
 17 State of Montana)
 18) ss
 19)

20 , being duly sworn, deposes and says:
 21 That....., a defendant, resides at
 22 ~~in the above named county.~~
 23 That....., a defendant, resides at
 24 ~~in the above named county.~~ That the
 25 plaintiff has custody or possession of money in the amount

THIRD READING



1 of \$....., held pursuant to the following:
2
3
4
5

6 That the defendants claim or may claim to be entitled to the
7 money. That the plaintiff deposits into the court \$.....,
8 which represents the amount of money in dispute.

9 That the plaintiff resides at the address shown in the
10 above-caption.

11
12 Affiant

13 Subscribed and sworn to before me this day of
14, 19....

15
16 Justice-of-the-Peace

17 District Judge
18

19 Clerk

20 ORDER

21 The State of Montana to the within named defendants,
22 greeting:

23 You are hereby directed to appear and answer the within
24 and foregoing claim at my office in (name,
25 building, or residence), in, County of

1, State of Montana, on the day of
2, 19...., at the hour of(AM)(PM); and to have
3 with you then and there, all books, papers, and witnesses
4 needed by you to establish your claim to such money.

5 You are further notified that in case you do not so
6 appear, judgment will be given against you as follows:

7 Determining or foreclosing your claim to the
8 above-described money, as well as the disposition thereof;
9 and, in addition, for costs of the action.

10 Dated this day of, 19....
11

12 Justice-of-the-Peace
13 District Judge

14
15 Clerk"

16 NEW SECTION. Section 2. Interpleader actions. (1) As

17 used in this chapter, interpleader actions determine the
18 rights of rival claimants to a fund held by a disinterested
19 party and may be maintained in the justice's court when any
20 person appears before a justice of the peace and executes an
21 affidavit setting forth the nature and basis of the claim.

22 (2) The person filing the interpleader affidavit shall
23 deposit the funds with the justice of the peace at the same
24 time the interpleader affidavit is filed.

25 (3) The interpleader must be substantially in the

1 following form:

2 In the Justice's Court of the State of Montana in and
3 for the County of, before,
4 Justice of the Peace.

5,

6 Plaintiff

7 vs.

8,

INTERPLEADER AFFIDAVIT

9 Defendant

10 and

11,

12 Defendant

13 State of Montana)

14) ss

15)

16, being duly sworn, deposes and says:

17 That....., a defendant, resides at

18 That....., a defendant, resides

19 at That the plaintiff has custody or

20 possession of money in the amount of \$....., held pursuant

21 to the following:

22

23

24

25

1 That the defendants claim or may claim to be entitled to the
2 money. That the plaintiff deposits into the court \$.....,
3 which represents the amount of money in dispute.

4 That the plaintiff resides at the address shown.

5

6 Affiant

7 Subscribed and sworn to before me this day of

8, 19....

9

10 Justice of the Peace

11

12 Clerk

13 ORDER

14 The State of Montana to the within named defendants,
15 greeting:

16 You are hereby directed to appear and answer the within
17 and foregoing claim at my office in (name,
18 building, or residence), in, County of
19, State of Montana, on the day of
20, 19...., at the hour of(AM)(PM); and to have
21 with you then and there, all books, papers, and witnesses
22 needed by you to establish your claim to such money.

23 You are further notified that in case you do not so
24 appear, judgment will be given against you as follows:

25 Determining or foreclosing your claim to the

1 above-described money, as well as the disposition thereof;
2 and, in addition, for costs of the action.

3 Dated this day of, 19.....
4
5 Justice of the Peace
6
7 Clerk

8 **Section 3.** Section 25-35-502, MCA, is amended to read:

9 **"25-35-502. Jurisdiction.** (1) The small claims court
10 has jurisdiction over all actions for the recovery of money
11 or specific personal property when the amount claimed does
12 not exceed \$2,500, exclusive of costs, and the defendant can
13 be served within the county where the action is commenced.

14 (2) The small claims court has jurisdiction over an
15 interpleader under [section 4] in which the amount claimed
16 does not exceed \$2,500."

17 **NEW SECTION. Section 4.** Interpleader actions. (1) As
18 used in this chapter, interpleader actions determine the
19 rights of rival claimants to a fund held by a disinterested
20 party and may be maintained in the small claims division of
21 the justice's court when any person appears before a justice
22 of the peace and executes an affidavit setting forth the
23 nature and basis of the claim.

24 (2) The person filing the interpleader affidavit shall
25 deposit the funds with the justice of the peace at the same

1 time the interpleader affidavit is filed.

2 (3) The interpleader must be substantially in the
3 following form:

4 In the Small Claims Division of the Justice's Court of
5 County, Montana before, Justice of
6 the Peace.

7
8 Plaintiff
9 vs.
10 INTERPLEADER AFFIDAVIT
11 Defendant
12 and
13
14 Defendant
15 State of Montana)
16) ss
17)

18, being duly sworn, deposes and says:
19 That....., a defendant, resides at
20 That....., a defendant, resides
21 at That the plaintiff has custody or
22 possession of money in the amount of \$....., held pursuant
23 to the following:

24
25

1
 2
 3 That the defendants claim or may claim to be entitled to the
 4 money. That the plaintiff deposits into the court \$.....,
 5 which represents the amount of money in dispute.

6 That the plaintiff resides at the address shown.
 7
 8 Affiant

9 Subscribed and sworn to before me this day of
 10, 19....

11
 12 Justice of the Peace
 13
 14 Clerk

ORDER

16 The State of Montana to the within named defendants,
 17 greeting:

18 You are hereby directed to appear and answer the within
 19 and foregoing claim at my office in (name,
 20 building, or residence), in, County of
 21, State of Montana, on the day of
 22, 19...., at the hour of(AM)(PM); and to have
 23 with you then and there, all books, papers, and witnesses
 24 needed by you to establish your claim to such money.

25 You are further notified that in case you do not so

1 appear, judgment will be given against you as follows:

2 Determining or foreclosing your claim to the
 3 above-described money, as well as the disposition thereof;
 4 and, in addition, for costs of the action.

5 Dated this day of, 19.....
 6
 7 Justice of the Peace
 8
 9 Clerk

10 NEW SECTION. Section 5. Codification instruction. (1)
 11 [Section 2] is intended to be codified as an integral part
 12 of Title 25, chapter 31, part 1, and the provisions of Title
 13 25, chapter 31, part 1, apply to [section 2].

14 (2) [Section 4] is intended to be codified as an
 15 integral part of Title 25, chapter 35, part 5, and the
 16 provisions of Title 25, chapter 35, part 5, apply to
 17 [section 4].

18 NEW SECTION. Section 6. Applicability. [Sections 2 and
 19 4] apply to actions arising on or after October 1, 1991.

-End-

SENATE BILL NO. 87

INTRODUCED BY B. BROWN

BY REQUEST OF THE BOARD OF REALTY REGULATION

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR AN INTERPLEADER ACTION IN A JUSTICE'S COURT SMALL CLAIMS PROCEDURE; AMENDING SECTION 25-35-502, MCA; AND PROVIDING AN APPLICABILITY DATE. CLARIFYING THE JURISDICTION OF THE SMALL CLAIMS DIVISION OF DISTRICT COURTS AND ALLOWING INTERPLEADER ACTIONS TO BE FILED IN JUSTICES' COURTS AND IN THE SMALL CLAIMS DIVISION OF JUSTICES' COURTS; AMENDING SECTIONS 25-34-106 AND 25-35-502, MCA; AND PROVIDING AN APPLICABILITY DATE."

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

(Refer to Introduced Bill)

Strike everything after the enacting clause and insert:

Section 1. Section 25-34-106, MCA, is amended to read:

"25-34-106. Interpleader actions. (1) As used in this chapter, interpleader actions determine the rights of rival claimants to a fund held by a disinterested party and may be maintained in the small claims court when any person appears before a judge or clerk of court or justice of the peace and executes an affidavit setting forth the nature and basis of the claim.

(2) The person filing the interpleader affidavit shall deposit the funds with the clerk of court or justice of the peace at the same time the interpleader affidavit is filed.

(3) The interpleader must be substantially in the following form:

In the Small Claims Court of the Judicial District in and for the County of, State of Montana.

Plaintiff

vs.

Defendant

and

Defendant

State of Montana)

) ss

)

....., being duly sworn, deposes and says:

That....., a defendant, resides at

..... in the above named county.

That....., a defendant, resides at

..... in the above named county. That the

plaintiff has custody or possession of money in the amount

REFERENCE BILL



SB 87

1 of \$....., held pursuant to the following:
 2
 3
 4
 5
 6 That the defendants claim or may claim to be entitled to the
 7 money. That the plaintiff deposits into the court \$.....,
 8 which represents the amount of money in dispute.

9 That the plaintiff resides at the address shown in the
 10 above-caption.

11
 12 Affiant
 13 Subscribed and sworn to before me this day of
 14, 19....
 15
 16 Justice-of-the-Peace
 17 District Judge
 18
 19 Clerk

ORDER

20 The State of Montana to the within named defendants,
 21 greeting:

22 You are hereby directed to appear and answer the within
 23 and foregoing claim at my office in (name,
 24 building, or residence), in, County of
 25

1, State of Montana, on the day of
 2, 19....., at the hour of(AM)(PM); and to have
 3 with you then and there, all books, papers, and witnesses
 4 needed by you to establish your claim to such money.

5 You are further notified that in case you do not so
 6 appear, judgment will be given against you as follows:

7 Determining or foreclosing your claim to the
 8 above-described money, as well as the disposition thereof;
 9 and, in addition, for costs of the action.

10 Dated this day of, 19.....
 11
 12 Justice-of-the-Peace
 13 District Judge
 14
 15 Clerk"

16 NEW SECTION. Section 2. Interpleader actions. (1) As
 17 used in this chapter, interpleader actions determine the
 18 rights of rival claimants to a fund held by a disinterested
 19 party and may be maintained in the justice's court when any
 20 person appears before a justice of the peace and executes an
 21 affidavit setting forth the nature and basis of the claim.

22 (2) The person filing the interpleader affidavit shall
 23 deposit the funds with the justice of the peace at the same
 24 time the interpleader affidavit is filed.

25 (3) The interpleader must be substantially in the

1 following form:

2 In the Justice's Court of the State of Montana in and
3 for the County of, before,
4 Justice of the Peace.

5

6 Plaintiff

7 vs.

8

INTERPLEADER AFFIDAVIT

9 Defendant

10 and

11

12 Defendant

13 State of Montana)

14) ss

15)

16, being duly sworn, deposes and says:

17 That....., a defendant, resides at

18 That....., a defendant, resides

19 at That the plaintiff has custody or

20 possession of money in the amount of \$....., held pursuant

21 to the following:

22

23

24

25

1 That the defendants claim or may claim to be entitled to the
2 money. That the plaintiff deposits into the court \$.....,
3 which represents the amount of money in dispute.

4 That the plaintiff resides at the address shown.

5

6 Affiant

7 Subscribed and sworn to before me this day of

8, 19....

9

10 Justice of the Peace

11

12 Clerk

13 ORDER

14 The State of Montana to the within named defendants,
15 greeting:

16 You are hereby directed to appear and answer the within
17 and foregoing claim at my office in (name,
18 building, or residence), in, County of
19, State of Montana, on the day of
20, 19...., at the hour of(AM)(PM); and to have
21 with you then and there, all books, papers, and witnesses
22 needed by you to establish your claim to such money.

23 You are further notified that in case you do not so
24 appear, judgment will be given against you as follows:

25 Determining or foreclosing your claim to the

1 above-described money, as well as the disposition thereof;
2 and, in addition, for costs of the action.

3 Dated this day of, 19.....
4
5 Justice of the Peace
6
7 Clerk

8 **Section 3.** Section 25-35-502, MCA, is amended to read:

9 **"25-35-502. Jurisdiction.** (1) The small claims court
10 has jurisdiction over all actions for the recovery of money
11 or specific personal property when the amount claimed does
12 not exceed \$2,500, exclusive of costs, and the defendant can
13 be served within the county where the action is commenced.

14 (2) The small claims court has jurisdiction over an
15 interpleader under [section 4] in which the amount claimed
16 does not exceed \$2,500."

17 **NEW SECTION. Section 4.** Interpleader actions. (1) As
18 used in this chapter, interpleader actions determine the
19 rights of rival claimants to a fund held by a disinterested
20 party and may be maintained in the small claims division of
21 the justice's court when any person appears before a justice
22 of the peace and executes an affidavit setting forth the
23 nature and basis of the claim.

24 (2) The person filing the interpleader affidavit shall
25 deposit the funds with the justice of the peace at the same

1 time the interpleader affidavit is filed.

2 (3) The interpleader must be substantially in the
3 following form:

4 In the Small Claims Division of the Justice's Court of
5 County, Montana before, Justice of
6 the Peace.

7,

8 Plaintiff

9 vs.

10,

INTERPLEADER AFFIDAVIT

11 Defendant

12 and

13,

14 Defendant

15 State of Montana)

16) ss

17)

18, being duly sworn, deposes and says:

19 That....., a defendant, resides at

20 That....., a defendant, resides

21 at That the plaintiff has custody or

22 possession of money in the amount of \$....., held pursuant

23 to the following:

24

25

1
 2
 3 That the defendants claim or may claim to be entitled to the
 4 money. That the plaintiff deposits into the court \$.....,
 5 which represents the amount of money in dispute.

6 That the plaintiff resides at the address shown.
 7
 8 Affiant

9 Subscribed and sworn to before me this day of
 10, 19....
 11
 12 Justice of the Peace
 13
 14 Clerk

ORDER

16 The State of Montana to the within named defendants,
 17 greeting:

18 You are hereby directed to appear and answer the within
 19 and foregoing claim at my office in (name,
 20 building, or residence), in, County of
 21, State of Montana, on the day of
 22, 19....., at the hour of(AM)(PM); and to have
 23 with you then and there, all books, papers, and witnesses
 24 needed by you to establish your claim to such money.

25 You are further notified that in case you do not so

1 appear, judgment will be given against you as follows:

2 Determining or foreclosing your claim to the
 3 above-described money, as well as the disposition thereof;
 4 and, in addition, for costs of the action.

5 Dated this day of, 19.....

6
 7 Justice of the Peace
 8
 9 Clerk

10 NEW SECTION. Section 5. Codification instruction. (1)

11 [Section 2] is intended to be codified as an integral part
 12 of Title 25, chapter 31, part 1, and the provisions of Title
 13 25, chapter 31, part 1, apply to [section 2].

14 (2) [Section 4] is intended to be codified as an
 15 integral part of Title 25, chapter 35, part 5, and the
 16 provisions of Title 25, chapter 35, part 5, apply to
 17 [section 4].

18 NEW SECTION. Section 6. Applicability. [Sections 2 and

19 4] apply to actions arising on or after October 1, 1991.

-End-