

**31A-2-306 Judicial review -- Costs.**

- (1) A person aggrieved by a rule or order of the commissioner, or aggrieved by the commissioner's failure to act when he has a duty to act, may obtain judicial review.
- (2) The court reviewing agency actions governed by this title shall give priority to those actions and shall hear and determine them promptly.
- (3) Costs shall be awarded as in civil cases. If the court finds that the appeal from action or inaction stemmed from the bad faith or malice of the commissioner, the court may award reasonable attorney's fees to the prevailing petitioner. Section 63G-7-701 applies to the extent the attorney's fees awarded under this subsection exceed \$10,000 for any one appeal.

Amended by Chapter 267, 2004 General Session