

78B-6-606 Judgment of removal -- Costs -- Penalty by fine where state is party.

If a defendant is found guilty of usurping, intruding into or unlawfully holding or exercising an office, franchise, or privilege, the court shall order the defendant removed from the office, and that the relator recover the costs of pursuing the action. The court may also, in its discretion, in actions to which the state is a party impose upon the defendant a fine not exceeding \$5,000, to be paid to the state treasury.

Renumbered and Amended by Chapter 3, 2008 General Session