



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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NOTICE OF BILL RETURNED TO RULES COMMITTEE

March 1, 2012

Madam Speaker:

With committee review, the Judiciary Committee has returned **H.B. 457**, EMINENT DOMAIN REVISIONS, by Representative B. Last, to the Rules Committee without recommendation with the following amendments:

1. *Page 1, Line 14:*

14 { ~~→ changes the date on attorney fees to 2009;~~ }

2. *Page 7, Lines 188 through 189:*

188 { ~~(12) Subsections (3) through (10) do not apply to an action filed before July 1, [2010]~~
189 ~~2009.~~ }

3. *Page 8, Lines 226 through 232:*

226 bond in an amount and with sureties as determined and approved by the court. {+} Condemner,
227 whether a public or private body, may, at any time prior to { ~~final payment of compensation and~~
228 ~~damages awarded the defendant~~ } a decision at trial on damages by the court or jury, abandon the
229 proceedings and cause the
230 action to be dismissed without prejudice, provided, however, that as a condition of dismissal
231 condemner first compensate condemnee for all damages he has sustained and also reimburse
232 him in full for all reasonable and necessary expenses actually incurred by condemnee because
of the filing of the action by condemner, including attorney fees. {+}

Respectfully,

Kay L. McIff
Committee Chair

Voting: --

14 hb0457.hc1.wpd 3/1/12 1:18 pm lerror/JDH ECM/JDH

Bill Number



HB0457

Action Class



H

Action Code



HCRRUL