

H.B. 457

EMINENT DOMAIN REVISIONS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 27, 2012 4:03 PM

Representative **Bradley G. Last** proposes 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
 proceedings and cause the
229 action to be dismissed without prejudice, provided, however, that as a condition of dismissal
230 condemner first compensate condemnee for all damages he has sustained and also reimburse
231 him in full for all reasonable and necessary expenses actually incurred by condemnee because
232 of the filing of the action by condemner, including attorney fees. {+}