

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
90th General Assembly
Regular Session, 2015

A Bill

HOUSE BILL 1956

By: Representative D. Douglas

For An Act To Be Entitled

AN ACT TO INCREASE THE THRESHOLD FOR AWARDING COSTS,
LITIGATION EXPENSES, AND ATTORNEY'S FEES AGAINST THE
STATE OF ARKANSAS TO A PROPERTY OWNER IN A
CONDEMNATION PROCEEDING; AND FOR OTHER PURPOSES.

Subtitle

TO INCREASE THE THRESHOLD FOR AWARDING
COSTS, LITIGATION EXPENSES, AND
ATTORNEY'S FEES AGAINST THE STATE OF
ARKANSAS TO A PROPERTY OWNER IN A
CONDEMNATION PROCEEDING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 27-67-317(b), concerning an increase to the threshold for awarding costs, litigation expenses, and attorney's fees against the State of Arkansas to a property owner in a condemnation proceeding, is amended to read as follows:

(b) If the compensation finally awarded exceeds the amount of money deposited by ~~ten percent (10%)~~ twenty percent (20%) or more, the court shall enter judgment against the State of Arkansas and in favor of the party entitled thereto for the amount of the deficiency and shall award the party entitled to judgment its costs, expenses, and reasonable attorney's fees incurred in preparing and conducting the final hearing and adjudication, including without limitation the cost of appraisals and fees for experts.

