

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

A Bill

HOUSE BILL 1956

5 By: Representative D. Douglas
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For An Act To Be Entitled

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

14 TO INCREASE THE THRESHOLD FOR AWARDING
15 COSTS, LITIGATION EXPENSES, AND
16 ATTORNEY'S FEES AGAINST THE STATE OF
17 ARKANSAS TO A PROPERTY OWNER IN A
18 CONDEMNATION PROCEEDING.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 27-67-317(b), concerning an increase to the
25 threshold for awarding costs, litigation expenses, and attorney's fees
26 against the State of Arkansas to a property owner in a condemnation
27 proceeding, is amended to read as follows:

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