

SENATE BILL NO. 208

BY SENATOR PERRY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact R.S. 19:201, relative to expropriation; to provide relative to
3 expropriation suits; to provide relative to attorney fees and certain costs; to provide
4 relative to attorney fees and certain costs for unsuccessful or abandoned suits; to
5 provide certain terms and conditions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 19:201 is hereby amended and reenacted to read as follows:

8 §201. ~~Attorneys~~ **Attorney** fees; unsuccessful or abandoned expropriation suits

9 **A.** A court of Louisiana having jurisdiction of a proceeding instituted by the
10 ~~State of Louisiana, a parish, a municipality or an agency of any of them~~ **a public or**
11 **private entity** vested with the power of expropriation, to acquire ~~real~~ **immovable**
12 property by expropriation, shall award the owner of any right, or title to, or interest
13 in such ~~real~~ **immovable** property such sum as will, in the opinion of the court,
14 reimburse such owner for his reasonable attorney fees, **and court costs**, actually
15 incurred because of the expropriation proceeding, if the final judgment is that the
16 plaintiff ~~cannot acquire the real property by~~ **does not acquire at least fifty percent**
17 **of the immovable property requested in the petition for** expropriation or if the
18 proceeding is abandoned by the plaintiff. Any such award shall be paid from the
19 same funds from which the purchase price of the property would have been paid.

20 **B.** The rights of the landowner herein fixed are in addition to any other rights
21 he may have under the Constitution of Louisiana.

1 Section 2. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____