

Prior law provided that a court of La. having jurisdiction of a proceeding instituted by this state, a parish, a municipality, or an agency of any of them vested with the power of expropriation shall award reasonable attorney fees to the owner of any right, or title to, or interest in such immovable property, if the final judgment is that the plaintiff cannot acquire the immovable property by expropriation or if the proceeding is abandoned by the plaintiff. Any such award shall be paid from the same funds from which the purchase price of the property would have been paid. Also provided that the rights of the landowner provided in prior law are in addition to any other rights he may have under the Constitution of Louisiana.

New law changes "State of Louisiana, a parish, a municipality or an agency of any of them vested with the power of expropriation" to "a public or private entity vested with the power of expropriation".

New law further changes "reasonable attorney fees actually incurred" to "reasonable attorney fees, and court costs actually incurred". Retains remainder of prior law.

New law provides that the property owner shall be entitled to attorney fees and costs if the acquiring authority expropriates less than 50% of the immovable property requested in the petition for expropriation or if the action is abandoned.

Effective June 28, 2011.

(Amends R.S. 19:201)