

the court costs were paid, right?

SENATOR HALL: Right.

SENATOR PIRSCH: Who formerly paid the attorney or expert witness fees?

SENATOR HALL: Well, if the landowner did not receive an award more than 15 percent above the final judgment, then the landowner paid the city's attorney and expert witness fees in addition to the court costs.

SENATOR PIRSCH: Okay.

SENATOR HALL: The change in 222 says you don't strap the landowner with the attorney's fees and expert witness fees of the subdivision of government. The court can award the court costs to them, but not the attorney's fees and the expert witness fees.

SENATOR PIRSCH: Okay, so if the condemnee, if the condemnee appeals...

SENATOR HALL: Yes.

SENATOR PIRSCH: ...and the condemnee hires a lawyer to go out and appeal, and they get the same judgment as the award of the appraisers was, then what is their liability to their attorneys?

SPEAKER WITHEM: One minute, Senator Pirsch.

SENATOR PIRSCH: Or to pay the court costs or expert witness?

SENATOR HALL: Well, their liability...so in other words, they came back with an award that was...

SENATOR PIRSCH: Equal to.

SENATOR HALL: ...equal to, they'd respond...they'd be responsible for their own costs, court costs, their own expert witness fees, their own attorney's fees, and the court costs of the condemner under 222.

SENATOR PIRSCH: They would have the court costs if they were equal to, if they, in essence, won?