## FIRST ENGROSSMENT

Sixty-sixth Legislative Assembly of North Dakota

## **ENGROSSED HOUSE BILL NO. 1207**

Introduced by

Representatives Zubke, D. Anderson, Guggisberg

Senators Bekkedahl, Kreun

- 1 A BILL for an Act to amend and reenact section 32-15-32 of the North Dakota Century Code,
- 2 relating to costs awarded to a defendant.

## 3 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

- 4 **SECTION 1. AMENDMENT.** Section 32-15-32 of the North Dakota Century Code is
- 5 amended and reenacted as follows:
- 6 **32-15-32. Costs.**
- 7 The court may in its discretion award For any judicial proceeding in which the defendant
- 8 prevails, the court's award to the defendant is limited to reasonable actual or statutory costs or
- 9 both, which may include interest from the time of taking except interest on the amount of a
- deposit which is available for withdrawal without prejudice to right of appeal, costs on appeal,
- and reasonable attorney's fees for all judicial proceedings. If the defendant appeals and does
- 12 not prevail, the costs on appeal may be taxed against the defendant. In all cases when a new
- 13 trial has been granted upon the application of the defendant and the defendant has failed upon
- such trial to obtain greater compensation than was allowed the defendant upon the first trial, the
- 15 costs of suchthe new trial shallmust be taxed against the defendant.