

FEB 19 2004
JUDICIARY

HOUSE FILE 2322
BY HOGG and LUKAN

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to payment of court costs for appeals of certain
2 condemnation awards.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2322

1 Section 1. Section 6B.23, Code 2003, is amended by adding
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. Court costs occasioned by an
4 appeal of an award of damages in a condemnation proceeding
5 brought under the authority of section 479.24 or 479B.16, or
6 under chapter 479A, shall be paid by the applicant for
7 condemnation if the amount of damages ascertained by the court
8 exceeds one hundred ten percent of the final offer of the
9 condemner prior to condemnation.

10 EXPLANATION

11 This bill provides that when an award of damages in a
12 condemnation proceeding where the condemner is a pipeline
13 company is appealed, the condemner shall pay court costs
14 occasioned by the appeal if the amount of damages ascertained
15 by the court exceeds 110 percent of the final offer of the
16 condemner prior to condemnation.

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