

### **66.23 Effect of dismissal.**

If the petition for removal is dismissed, the defendant shall be reimbursed for the reasonable and necessary expenses incurred by the defendant in making a defense, including reasonable attorney's fees, as determined by the court. If the petition for removal is filed by the attorney general, the state shall pay the expenses. If the petition for removal is filed by the county attorney or special prosecutor, the expenses shall be paid by the political subdivision of the state represented by the county attorney or special prosecutor. The payment shall be made out of any funds in the state treasury not otherwise appropriated, or out of the county treasury, or the general fund of the city or other subdivision of the state, as the case may be.

[S13, § 1258-i; C24, 27, 31, 35, 39, § **1111**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 66.23]

83 Acts, ch 123, § 47, 209