

**303.63 Trial to court.**

1. If upon the hearing, which shall be tried de novo, it appears to the court that testimony is necessary for the proper disposition of the matter, the court may take evidence or appoint a referee to take evidence as it directs and report the evidence to the court with findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may reverse or affirm, wholly or partly, or may modify the decision brought up for review.

2. Costs shall not be allowed against the board unless it appears to the court that the board acted with gross negligence or in bad faith or with malice in making the decision appealed from.

[83 Acts, ch 108, §23](#); [2019 Acts, ch 24, §39](#)

Referred to in [§303.64](#)