2612-S AMH NEAL CLYN 386

**SHB 2612** - H AMD **1086**

By Representative Nealey

On page 6, beginning on line 7, after "**Sec. 5.**" strike the remainder of section 5 and insert "In any action under this chapter, the prevailing party is entitled to a recovery of costs, including an award for reasonable attorneys' fees."

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|  | EFFECT:  Strikes provisions that:   * allow the prevailing plaintiff, but not the prevailing defendant, to recover reasonable attorneys' fees and a fees multiplier and costs, including for work performed in ancillary proceedings; * allow prevailing defendants to recover costs only if the action is frivolous, unreasonable, or without foundation; * describe how a fees multiplier is determined; * provide that a plaintiff is not first required to notify the political subdivision in advance of filing suit in order to recover attorneys' fees and costs; and * deem the plaintiff to be the prevailing party when the political subdivision adopts a district-based election district after suit has been filed.   Replaces these provisions with a provision that allows the prevailing party to recover costs, including an award for reasonable attorneys' fees. |

**--- END ---**