

SHB 1413 - H AMD 158

By Representative Manweller

NOT CONSIDERED

1 On page 6, line 34, after "fees." insert "However, the court may
2 elect not to allow the award of attorneys' fees, costs, or expert
3 witness fees under this section, or may elect to reduce the amount of
4 fees and costs awarded, when, in the court's determination:

5 (a) The award would create undue hardship to the political
6 subdivision; and

7 (b) The award would directly impact the ability of the political
8 subdivision to provide services to low-income minority individuals
9 within the political subdivision."

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11 On page 7, beginning on line 1, strike all of subsection (3)

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EFFECT: Removes the provision in which a plaintiff is deemed to be the prevailing party for purposes of an award of attorneys' fees and costs if the political subdivision that is the subject of the lawsuit changes its election system after the action is filed. Authorizes the court to not award fees and costs, or to reduce the amount of the award, when it determines that the award would create undue hardship and directly impact that ability of the political subdivision to provide services to low-income minority individuals.

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