

GAZ96169

House Engrossed Senate Bill

**FILED**

State of Arizona  
Senate  
Forty-second Legislature  
Second Regular Session  
1996

**Jane Dee Hull  
Secretary of State**

CHAPTER 156

**SENATE BILL 1097**

AN ACT

AMENDING SECTION 12-2030, ARIZONA REVISED STATUTES; RELATING TO AWARD OF FEES AND OTHER EXPENSES.

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 12-2030, Arizona Revised Statutes, is amended to  
3 read:

4 12-2030. Mandamus action; award of fees and other expenses  
5 against the state or political subdivision;  
6 definition

7 A. A court shall award fees and other expenses to any party other than  
8 this state or any political subdivision ~~thereof~~ OF THIS STATE which prevails  
9 by an adjudication on the merits in a civil action brought by the party  
10 against the state, ~~or~~ any political subdivision ~~thereof~~ OF THIS STATE OR AN  
11 INTERVENOR to compel a state officer or any officer of any political  
12 subdivision ~~thereof~~ OF THIS STATE to perform an act imposed by law as a duty  
13 on the officer.

14 B. As used in this section, "fees and other expenses" includes the  
15 reasonable expenses of expert witnesses, the reasonable cost of any study,  
16 analysis, report, test or project found by the court to be necessary for  
17 preparation of the party's case, and reasonable and necessary attorney fees.

APPROVED BY THE GOVERNOR APRIL 11, 1996

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 11, 1996