ASSEMBLY BILL NO. 397–ASSEMBLYMEN HORNE, CONKLIN, SHERER, LESLIE, CHOWNING, ANDONOV, ARBERRY, ATKINSON, BEERS, BUCKLEY, CARPENTER, CHRISTENSEN, CLABORN, COLLINS, GEDDES, GIBBONS, GIUNCHIGLIANI, GOICOECHEA, GOLDWATER, GRADY, GRIFFIN, HARDY, HETTRICK, KOIVISTO, MABEY, MANENDO, MCCLAIN, MCCLEARY, MORTENSON, OCEGUERA, PARKS, PERKINS, PIERCE AND WILLIAMS

MARCH 17, 2003

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JOINT SPONSORS: SENATORS NEAL, TITUS, WIENER, CEGAVSKE, O'CONNELL, CARLTON, COFFIN, MATHEWS, MCGINNESS, NOLAN AND TIFFANY

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Referred to Committee on Judiciary

SUMMARY—Makes various changes concerning proceedings in actions concerning eminent domain. (BDR 3-1082)

FISCAL NOTE: Effect on Local Government: No.
                        Effect on the State: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets **[omitted material]** is material to be omitted.

AN ACT relating to eminent domain; prohibiting penalties from being imposed upon a person for rejecting an offer of judgment and proceeding to trial in actions concerning eminent domain regardless of the outcome of the trial; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1   **Section 1.** NRS 37.200 is hereby amended to read as follows:
2   37.200 ***1.*** Except as otherwise provided in this chapter, the
3 provisions of NRS, Nevada Rules of Civil Procedure and Nevada
4 Rules of Appellate Procedure relative to civil actions, new trials and

1 appeals shall be applicable to and constitute the rules of practice in
2 the proceedings in this chapter.
3   *2. Notwithstanding any other provision of law, no penalty*
4 *may be imposed upon a person for rejecting an offer of judgment*
5 *and proceeding to trial, regardless of the outcome of the trial. As*
6 *used in this subsection, "penalty" includes, without limitation, any*
7 *monetary damages, attorney's fees and court costs.*
8   **Sec. 2.** The amendatory provisions of this act apply to any
9 action filed on or after October 1, 2003.

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