

COMMITTEE ON GOVERNMENT  
SENATE AMENDMENTS TO S.B. 1259  
(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Title 12, chapter 8, article 14, Arizona Revised  
3 Statutes, is amended by adding section 12-1364, to read:

4 12-1364. Dwelling action; attorney fees, expert witness fees  
and all costs; prohibited costs

5 A. IN ANY CONTESTED DWELLING ACTION, THE COURT SHALL AWARD THE  
6 SUCCESSFUL PARTY REASONABLE EXPERT WITNESS FEES AND ALL COSTS. IF THE  
7 JUDGMENT FINALLY OBTAINED IS MORE FAVORABLE TO THE PURCHASER THAN ANY  
8 COMBINATION OF CONSIDERATION PROVIDED OR REPAIRS OR REPLACEMENTS PERFORMED  
9 BY THE SELLER PURSUANT TO THIS ARTICLE, IF ANY, THE PURCHASER IS DEEMED TO  
10 BE THE SUCCESSFUL PARTY FROM THE DATE THAT THE PURCHASER PROVIDED A NOTICE  
11 PURSUANT TO SECTION 12-1363, SUBSECTION A. IF THE JUDGMENT FINALLY  
12 OBTAINED IS LESS FAVORABLE TO THE PURCHASER THAN ANY COMBINATION OF  
13 CONSIDERATION PROVIDED OR REPAIRS OR REPLACEMENTS PERFORMED BY THE SELLER  
14 PURSUANT TO THIS ARTICLE, THE SELLER IS DEEMED TO BE THE SUCCESSFUL PARTY  
15 FROM THE DATE THAT THE SELLER PROVIDED A RESPONSE PURSUANT TO SECTION  
16 12-1363, SUBSECTION C. THIS SECTION DOES NOT ALTER, PROHIBIT OR RESTRICT  
17 PRESENT OR FUTURE CONTRACTS OR STATUTES THAT MAY PROVIDE FOR ATTORNEY FEES.

18 B. THE SELLER MAY NOT BE REIMBURSED FOR AN INVESTIGATION OR REPAIR  
19 THAT THE SELLER PERFORMED PURSUANT TO THIS ARTICLE."

20 21 Amend title to conform

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02/14/2018  
7:37 PM  
S: slp