

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 54th Legislature (2014)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 1497

By: Holt of the Senate

and

Hall of the House

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9
10 COMMITTEE SUBSTITUTE

11 An Act relating to attorney fees; amending 25 O.S.
12 2011, Section 314, which relates to violations of the
13 Open Meeting Act; authorizing suits for violations of
14 the Open Meeting Act; directing award of attorney
15 fees if suit found to be clearly frivolous; and
16 providing an effective date.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. AMENDATORY 25 O.S. 2011, Section 314, is
19 amended to read as follows:

20 Section 314. A. Any person or persons willfully violating any
21 of the provisions of this act shall be guilty of a misdemeanor and
22 upon conviction shall be punished by a fine not exceeding Five
23 Hundred Dollars (\$500.00) or by imprisonment in the county jail for
24 a period not exceeding one (1) year or by both such fine and
imprisonment.

1 B. Following a violation of this act, any person:

2 1. May bring a civil suit for declarative or injunctive relief,

3 or both; and

4 2. If successful, shall be entitled to reasonable attorney

5 fees.

6 C. If the public body successfully defends a civil suit and the

7 court finds that the suit was clearly frivolous, the public body

8 shall be entitled to reasonable attorney fees.

9 SECTION 2. This act shall become effective November 1, 2014.

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11 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 03/26/2014 - DO
12 PASS, As Amended.