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February 18, 2014

AS AMENDED

SENATE BILL NO. 1497

By: Holt of the Senate

and

Hall of the House

An Act relating to attorney fees; amending 25 O.S. 2011, Section 314, which relates to violations of the Open Meeting Act; authorizing certain suits; allowing award of attorney fees under certain circumstances; and providing an effective date.

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

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

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

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

1. May bring a civil suit for declarative or injunctive relief,
or both; and

1 2. If successful, shall be entitled to reasonable attorney
2 fees.

3 C. If the public body successfully defends a civil suit and the
4 court finds that the suit was clearly frivolous, the public body
5 shall be entitled to reasonable attorney fees.

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

7 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
8 February 18, 2014 - DO PASS AS AMENDED
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