



26 | Constitution or by state law, the court shall assess and award  
27 | reasonable attorney fees and costs and damages against the local  
28 | government if the court determines that the subject of the  
29 | ordinance was preempted.

30 | (3) Attorney fees and costs may not be awarded pursuant to  
31 | this section if the local government withdraws or repeals an  
32 | ordinance that the court determined was preempted within 21 days  
33 | after the earlier of:

34 | (a) The local government's receipt of a written claim that  
35 | the ordinance, as proposed or adopted, is preempted by the State  
36 | Constitution or by state law; or

37 | (b) A motion being filed seeking attorney fees and costs  
38 | pursuant to this section.

39 | (4) The provisions in this section are supplemental to all  
40 | other sanctions or remedies available under law or court rule.

41 | (5) This section does not apply to local government  
42 | ordinances relating to growth management.

43 | (6) This section is intended to be remedial in nature and  
44 | applies retroactively to all cases pending or commenced on or  
45 | after July 1, 2019.

46 | Section 2. This act shall take effect July 1, 2019.