

## HOUSE BILL No. 2354

By Committee on Appropriations

2-2

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9 AN ACT concerning public utilities and common carriers; relating to  
10 damages sustained by aggrieved parties; amending K.S.A. 66-176 and  
11 repealing the existing section.  
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13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 66-176 is hereby amended to read as follows: 66-  
15 176. Any public utility or common carrier which violates any of the pro-  
16 visions of law for the regulation of public utilities or common carriers  
17 shall forfeit, for every offense, to the person, company or corporation  
18 aggrieved thereby, the actual damages sustained by the party aggrieved;  
19 ~~together with the costs of suit and reasonable attorney fees, to be fixed~~  
20 ~~by the court. If an appeal is taken from the judgment or any part thereof,~~  
21 ~~it shall be the duty of the appellate court to include in the judgment~~  
22 ~~additional reasonable attorney fees for services in the appellate court or~~  
23 ~~courts. The provisions of this section shall be subject to K.S.A. 60-258a,~~  
24 *and amendments thereto.*

25 Sec. 2. K.S.A. 66-176 is hereby repealed.

26 Sec. 3. This act shall take effect and be in force from and after its  
27 publication in the statute book.