

HOUSE BILL 1861

By Sargent

AN ACT to amend Tennessee Code Annotated, Title 16;
Title 25 and Title 27, relative to appeals.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 27-1-122, is amended by deleting the section in its entirety and by substituting instead the following:

When it appears to any reviewing court that the appeal from any court of record was frivolous or taken solely for delay, the court may, either upon motion of a party or of its own motion, award just damages against the appellant, which may include, but need not be limited to, costs, interest on the judgment, and expenses incurred by the appellee as a result of the appeal, including, but not limited to, the appellee's attorneys' fees and any related filing costs.

SECTION 2. This act shall take effect July 1, 2011, the public welfare requiring it.