

13-39-302 Civil action for violation.

- (1) For a violation of Section 13-39-202, an action may be brought by:
 - (a) a user of a contact point or domain name registered with the division under Section 13-39-201; or
 - (b) a legal guardian of a user described in Subsection (1)(a).
- (2) In each action under Subsection (1):
 - (a) a person described in Subsection (1) may recover the greater of:
 - (i) actual damages; or
 - (ii) \$1,000 for each communication sent in violation of Section 13-39-202; and
 - (b) the prevailing party shall be awarded costs and reasonable attorney fees.

Enacted by Chapter 338, 2004 General Session