

***Superseded 3/25/2015***

**78B-5-805 State, state officers, and political subdivisions not required to give bond --  
Exception for appeal.**

- (1) Except as provided in Subsection (3), the state, any state officer acting in an official capacity on behalf of the state, or any county, city, or public corporation may not be required to post a bond, written undertaking, or security in order to pursue a civil action.
- (2) Upon compliance with the other provisions of the law, the state, any state officer acting in an official capacity, or any county, city, or other public corporation, has the same rights, remedies, and benefits as if the bond, undertaking, or security were given and approved as required by law.
- (3) A municipality is not exempt from the requirement of posting a bond, obligation, or other security when appealing a judgment for any amount in excess of \$5,000,000. To stay the enforcement of any judgment over \$5,000,000, a municipality shall be required to post security with the appellate court in the amount by which the judgment exceeds the sum of \$5,000,000 and for any interest that may accrue during the appeal.