

1                                   **STATUTE OF LIMITATIONS AMENDMENTS**

2                                   2005 GENERAL SESSION

3                                   STATE OF UTAH

4                                   **Sponsor: David Clark**

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6 **LONG TITLE**

7 **General Description:**

8           This bill removes assault and battery from the one-year statute of limitations.

9 **Highlighted Provisions:**

10          This bill:

- 11           ▶ removes assault and battery from the one-year statute of limitations.

12 **Monies Appropriated in this Bill:**

13          None

14 **Other Special Clauses:**

15          None

16 **Utah Code Sections Affected:**

17 **AMENDS:**

18           **78-12-29**, as last amended by Chapter 241, Laws of Utah 2001

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20 *Be it enacted by the Legislature of the state of Utah:*

21           Section 1. Section **78-12-29** is amended to read:

22           **78-12-29. Within one year.**

23           An action may be brought within one year:

24           (1) for liability created by the statutes of a foreign state;

25           (2) upon a statute for a penalty or forfeiture where the action is given to an individual,  
26 or to an individual and the state, except when the statute imposing it prescribes a different  
27 limitation;



- 28           (3) upon a statute, or upon an undertaking in a criminal action, for a forfeiture or  
29 penalty to the state;
- 30           (4) for libel, slander, [~~assault, battery,~~] false imprisonment, or seduction;
- 31           (5) against a sheriff or other officer for the escape of a prisoner arrested or imprisoned  
32 upon either civil or criminal process;
- 33           (6) against a municipal corporation for damages or injuries to property caused by a  
34 mob or riot;
- 35           (7) on a claim for relief or a cause of action under the following sections of Title 25,  
36 Chapter 6, Uniform Fraudulent Transfer Act:
- 37           (a) Subsection 25-6-5(1)(a), which in specific situations limits the time for action to  
38 four years, under Section 25-6-10; or
- 39           (b) Subsection 25-6-6(2); or
- 40           (8) except as otherwise expressly provided by statute, against a county legislative body  
41 or a county executive to challenge a decision of the county legislative body or county  
42 executive, respectively.

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**Legislative Review Note**  
**as of 1-7-05 12:18 PM**

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

**Office of Legislative Research and General Counsel**

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**Fiscal Note**  
**Bill Number HB0204**

Statute of Limitations Amendments

22-Jan-05

11:17 AM

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**State Impact**

No fiscal impact.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**