

Representative Gage Froerer proposes the following substitute bill:

STATUTE OF LIMITATIONS ON TRESPASS

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gage Froerer

Senate Sponsor: Stephen H. Urquhart

LONG TITLE

General Description:

This bill clarifies that the statute of limitations on damages for trespass is three years and includes a permanent or continuing trespass.

Highlighted Provisions:

This bill:

- ▶ affirms that the statute of limitations for the recovery of damages due to trespass is three years after the last trespass incident; and
- ▶ includes permanent or continuing trespass.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

78B-2-314, Utah Code Annotated 1953

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

Section 1. Section **78B-2-314** is enacted to read:



26 **78B-2-314. Statute of limitations -- Permanent or continuing trespass -- Damages.**

27 In accordance with Section 78B-2-305, an action for damage created by trespass shall

28 be brought within three years ~~§~~→ of discovery ←~~§~~ of the last trespass incident which includes a

28a permanent or

29 continuing trespass that caused the damage.