

1 **STATUTE OF LIMITATIONS ON TRESPASS**

2 2013 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Gage Froerer**

5 Senate Sponsor: Stephen H. Urquhart

7 **LONG TITLE**

8 **General Description:**

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

11 **Highlighted Provisions:**

12 This bill:

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

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 ENACTS:

22 **78B-2-314**, Utah Code Annotated 1953

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

25 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
29 permanent or continuing trespass that caused the damage.

