

1                                   **STATUTE OF LIMITATIONS ON BODILY**  
2   **INJURY**

3   2006 GENERAL SESSION

4   STATE OF UTAH

5   **Chief Sponsor: Curtis Oda**

6   Senate Sponsor: Gregory S. Bell

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8   **LONG TITLE**

9   **General Description:**

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

11   **Highlighted Provisions:**

12           This bill:

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

14   **Monies Appropriated in this Bill:**

15           None

16   **Other Special Clauses:**

17           None

18   **Utah Code Sections Affected:**

19   **AMENDS:**

20           **78-12-29**, as last amended by Chapter 99, Laws of Utah 2005

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

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

24           **78-12-29. Within one year.**

25           An action may be brought within one year:

- 26           (1) for liability created by the statutes of a foreign state;
- 27           (2) upon a statute for a penalty or forfeiture where the action is given to an individual,



28 or to an individual and the state, except when the statute imposing it prescribes a different  
29 limitation;

30 (3) upon a statute, or upon an undertaking in a criminal action, for a forfeiture or  
31 penalty to the state;

32 (4) for libel, slander, [~~assault, battery,~~] false imprisonment, or seduction;

33 (5) against a sheriff or other officer for the escape of a prisoner arrested or imprisoned  
34 upon either civil or criminal process;

35 (6) against a municipal corporation for damages or injuries to property caused by a  
36 mob or riot;

37 (7) on a claim for relief or a cause of action under the following sections of Title 25,  
38 Chapter 6, Uniform Fraudulent Transfer Act:

39 (a) Subsection 25-6-5(1)(a), which in specific situations limits the time for action to  
40 four years, under Section 25-6-10; or

41 (b) Subsection 25-6-6(2);

42 (8) except as otherwise expressly provided by statute, against a county legislative body  
43 or a county executive to challenge a decision of the county legislative body or county  
44 executive, respectively; or

45 (9) on a claim for relief or a cause of action under Title 63, Chapter 90b, Utah  
46 Religious Land Use Act.

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**Legislative Review Note**  
**as of 12-6-05 11:03 AM**

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**