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1	LIMITATION OF ACTIONS
2	2007 GENERAL SESSION
3	STATE OF UTAH
4	Chief Sponsor: Gregory S. Bell
5	House Sponsor: Scott L Wyatt
6	
7	LONG TITLE
8	General Description:
9	This bill modifies the Judicial Code regarding limitations on commencing an action.
10	Highlighted Provisions:
11	This bill:
12	 amends the current provision that allows a plaintiff whose action failed for specified
13	causes to commence a new action by providing that the new action may only be
14	brought one time; and
15	makes technical changes.
16	Monies Appropriated in this Bill:
17	None
18	Other Special Clauses:
19	None
20	Utah Code Sections Affected:
21	AMENDS:
22	78-12-40 , Utah Code Annotated 1953
23	
24	Be it enacted by the Legislature of the state of Utah:
25	Section 1. Section 78-12-40 is amended to read:
26	78-12-40. Failure of action Right to commence new action.
27	(1) If any action is [commenced within due time] timely filed and $[a]$ the judgment
28	[thereon] for the plaintiff is reversed, or if the plaintiff fails in [such] the action or upon a cause
29	of action otherwise than upon the merits, and the time limited either by law or contract for

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30	commencing the [same shall have] action has expired, the plaintiff, or if he di	ies and the cause

31 of action survives, his representatives, may commence a new action within one year after the

32 reversal or failure.

33 (2) On and after December 31, 2007, a new action may be commenced under this section only once.

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