

OIL AND GAS LIMITATION OF ACTIONS

AMENDMENTS

2009 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kevin T. Van Tassell

House Sponsor: John G. Mathis

LONG TITLE

General Description:

This bill amends a provision establishing a statute of limitations for an action relating to oil or gas development.

Highlighted Provisions:

This bill:

- ▶ changes the one year statute of limitations for a violation of Title 40, Chapter 6, Board of Oil, Gas, and Mining, to only apply to an action relating to a report or record.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

40-6-12, as last amended by Laws of Utah 2007, Chapter 322

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

Section 1. Section **40-6-12** is amended to read:

40-6-12. Evasion of chapter or orders -- Penalties -- Limitation of actions.

(1) (a) A person is guilty of a class A misdemeanor if, for the purpose of evading this chapter or any order of the board, he is convicted of any of the following:

30 (i) making or causing to be made any false entry in any report, record, account, or
31 memorandum required by this chapter or by any order;

32 (ii) omitting or causing to be omitted from any report, record, account, or
33 memorandum, full, true, and correct entries as required by this chapter or by any order; or

34 (iii) removing from this state or destroying, mutilating, altering, or falsifying any
35 record, account, or memorandum.

36 (b) Upon conviction under Subsection (1), a person is subject to a fine of not more
37 than \$5,000 or imprisonment for a term not exceeding six months, or to both fine and
38 imprisonment.

39 (2) Any suit, action, or other proceeding based upon a violation of this [~~chapter or any~~
40 ~~rule or order of the board~~] section may be commenced only within one year from the date of
41 the alleged violation.