

## HB0401S01 compared with HB0401

~~text~~ shows text that was in HB0401 but was deleted in HB0401S01.

text shows text that was not in HB0401 but was inserted into HB0401S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

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: \_\_\_\_\_

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#### LONG TITLE

##### General Description:

This bill clarifies that the statute of limitations on damages for trespass is three years, but lengthens the time period for enjoining a permanent trespass to ~~20~~seven years.

##### Highlighted Provisions:

This bill:

- ▶ affirms that the statute of limitations for the recovery of damages due to trespass is three years; and
- ▶ lengthens the time period to enjoin a trespass to ~~20~~seven years.

##### Money Appropriated in this Bill:

None

##### Other Special Clauses:

None

## HB0401S01 compared with HB0401

### Utah Code Sections Affected:

ENACTS:

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

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

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

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

(1) In accordance with Section 78B-2-305, an action for damage created by trespass shall be brought within three years of the trespass incident that caused the damage.

(2) An action to enjoin a permanent or continuing trespass for which the statute of limitations for damages has run may, nonetheless, be brought within ~~20~~ seven years after the first instance of trespass.

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### **Legislative Review Note**

~~as of 3-1-13 6:20 PM~~

~~Office of Legislative Research and General Counsel}~~