

**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: Stephen H. Urquhart

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**LONG TITLE**

**General Description:**

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

**Highlighted Provisions:**

This bill:

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

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**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:



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 the last trespass incident which includes a permanent or

29 continuing trespass that caused the damage.