

HB0401S02 compared with HB0401S01

~~{deleted text}~~ shows text that was in HB0401S01 but was deleted in HB0401S02.

inserted text shows text that was not in HB0401S01 but was inserted into HB0401S02.

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: _____

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 seven 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
- ▶ ~~{lengthens the time period to enjoin a}~~ includes permanent or continuing trespass~~{~~
~~to seven years}~~.

Money Appropriated in this Bill:

None

HB0401S02 compared with HB0401S01

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

78B-2-314, Utah Code Annotated 1953

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 last trespass incident which includes a permanent or continuing trespass 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 seven years after the first instance of trespass.~~

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