

APPELLATE BOND AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Douglas V. Sagers

Senate Sponsor: Curtis S. Bramble

LONG TITLE

General Description:

This bill repeals and reenacts provisions relating to appellate bonds for political subdivisions.

Highlighted Provisions:

This bill:

- ▶ repeals and reenacts provisions relating to appellate bonds for political subdivisions.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

REPEALS AND REENACTS:

78B-5-805, as repealed and reenacted by Laws of Utah 2013, Chapter 33

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

Section 1. Section **78B-5-805** is repealed and reenacted to read:

78B-5-805. State, state officers, and political subdivisions not required to give bond.

(1) In any civil action or proceeding in which the state is a party plaintiff, or any state officer in an official capacity or on behalf of the state, or any county or city or other public



28 corporation is a party plaintiff or defendant, no bond, written undertaking, or security may be
29 required of the state, or any state officer, or of any county, city, or other public corporation.

30 (2) Upon compliance with the other provisions of the law, the state or any state officer
31 acting in an official capacity, or any county, city, or other public corporation, has the same
32 rights, remedies, and benefits as if the bond, undertaking, or security were given and approved
33 as required by law.

34 Section 2. **Effective date.**

35 If approved by two-thirds of all the members elected to each house, this bill takes effect
36 upon approval by the governor, or the day following the constitutional time limit of Utah
37 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
38 the date of veto override.

Legislative Review Note
as of 1-27-15 6:53 PM

Office of Legislative Research and General Counsel