

Representative V. Lowry Snow proposes the following substitute bill:

STATUTE OF LIMITATIONS MODIFICATIONS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: V. Lowry Snow

Senate Sponsor: Todd Weiler

LONG TITLE

General Description:

This bill modifies provisions related to a statute of limitations.

Highlighted Provisions:

This bill:

- ▶ clarifies the statute of limitations for credit agreements; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

78B-2-309, as renumbered and amended by Laws of Utah 2008, Chapter 3

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

Section 1. Section **78B-2-309** is amended to read:

78B-2-309. Within six years -- Mesne profits of real property -- Instrument in writing-- Fire suppression.



26 (1) An action may be brought within six years:
27 ~~[(+)]~~ (a) for the mesne profits of real property;
28 ~~[(2)]~~ (b) subject to Subsection (2), upon any contract, obligation, or liability founded
29 upon an instrument in writing, except those mentioned in Section [78B-2-311](#); ~~[and]~~ or
30 ~~[(3)]~~ (c) to recover fire suppression costs or other damages caused by wildland fire.
31 (2) For a credit agreement, as defined in Section [25-5-4](#), the six-year period described
32 in Subsection (1) begins the later of the day on which:
33 (a) the debt arose;
34 (b) the debtor makes a written acknowledgment of the debt or a promise to pay the
35 debt; or
36 (c) the debtor or a third party makes a payment on the debt.