

## HB0112S02 compared with HB0112S01

~~{deleted text}~~ shows text that was in HB0112S01 but was deleted in HB0112S02.

Inserted text shows text that was not in HB0112S01 but was inserted into HB0112S02.

**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 Timothy D. Hawkes}~~Senator Todd Weiler proposes the following substitute bill:

### SURVIVAL CLAIMS AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Timothy D. Hawkes**

Senate Sponsor: Todd Weiler

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#### LONG TITLE

##### General Description:

This bill modifies the statute of limitations for claims that survive an individual's death.

##### Highlighted Provisions:

This bill:

- ▶ modifies the time period for when the representatives of an individual who dies may bring a cause of action against another person;
- ▶ removes a provision relating to the time period for a person to bring a cause of action against a person who dies; and
- ▶ makes technical changes.

##### Money Appropriated in this Bill:

None

## HB0112S02 compared with HB0112S01

### Other Special Clauses:

None

### Utah Code Sections Affected:

AMENDS:

**78B-2-105**, as renumbered and amended by Laws of Utah 2008, Chapter 3

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

Section 1. Section **78B-2-105** is amended to read:

#### **78B-2-105. Effect of death.**

~~[(1)]~~ If ~~[a person]~~ an individual entitled to bring an action dies before the expiration of the statute of limitations and the cause of action survives, an action may be brought by ~~[his representatives after the expiration of the time and within one year from his death.]~~ the individual's representatives within the later of:

~~(a)~~ 1) the statute of limitations; or

~~(b)~~ 2) one year after the day on which the individual died.

~~[(2)]~~ If ~~{[} a person {]} an individual~~ against whom an action may be brought dies before the expiration of the statute of limitations and the cause of action survives, an action may be commenced against the representatives after the expiration of the time and within one year after the issue of letters testamentary or of administration. ~~]~~