

28 11-65-102, Utah Code Annotated 1953
29 11-65-201, Utah Code Annotated 1953



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

32 Section 1. Section 11-65-101 is enacted to read:

33 **CHAPTER 65. POLITICAL SUBDIVISION RIOT LIABILITY ACT**

34 **Part 1. General Provisions**

35 **11-65-101. Title.**

36 This chapter is known as "Political Subdivision Riot Liability Act."

37 Section 2. Section 11-65-102 is enacted to read:

38 **11-65-102. Definitions.**

39 As used in this chapter:

40 (1) "Chief executive officer" means the same as that term is defined in Section
41 11-51-102.

42 (2) "Political subdivision" means a county, city, town, or metro township.

43 Section 3. Section 11-65-201 is enacted to read:

44 **Part 2. Political Subdivision Riot Liability**

45 **11-65-201. Political subdivision civil liability for injury or damage resulting from**
46 **riot -- Affirmative defense.**

47 (1) A political subdivision is liable in a civil action for personal injury or property
48 damage resulting from a riot or civil disturbance that occurs within the boundaries of the
49 political subdivision if a plaintiff shows by clear and convincing evidence that:

50 (a) the chief executive officer of the political subdivision, acting within the scope of
51 chief executive officer's official duties, directed law enforcement officers not to protect private
52 property or individuals during the riot or civil disturbance; and

53 (b) the plaintiff suffered the injury or damages as a result of the riot or civil
54 disturbance ~~and~~ **and did not participate in the riot or civil disturbance** .

55 (2) It is an affirmative defense to liability under Subsection (1) that the chief executive
56 officer directed law enforcement not to protect private property or individuals during the riot or
57 civil disturbance to prevent an imminent threat to the safety of law enforcement officers.

58 Section 4. Section 63G-7-301 is amended to read: