28   <u>**78B-2-119. Statute of limitations after criminal proceeding.**</u>

29   <u>(1) As used in this section:</u>

30   <u>(a) "Cause of action" means any civil claim that a victim could bring against a</u>

31 <u>defendant for criminal conduct committed against the victim.</u>

32   <u>(b) (i) "Criminal conduct" means any act that is charged as a felony under:</u>

33   <u>(A) Title 76, Chapter 5, Offenses Against the Person; or</u>

34   <u>(B) Title 76, Chapter 4, Inchoate Offenses, that is directly related to prohibited conduct</u>

35 <u>under Title 76, Chapter 5, Offenses Against the Person.</u>

36   <u>(c) "Victim" means an individual directly harmed by criminal conduct or the</u>

37 <u>individual's representative.</u>

38   <u>(2) (a) Notwithstanding any statute of limitations, a victim may bring a cause of action</u>

39 <u>if:</u>

40   <u>(i) the defendant to the cause of action was charged by a criminal complaint</u> **Ŝ➜ [or] , ⬅Ŝ**

41 <u>indictment</u> **Ŝ➜ , or information ⬅Ŝ** <u>for criminal conduct;</u>

42   <u>(ii) the cause of action is brought within one year from the day on which a final</u>

43 <u>disposition for the criminal proceeding is issued;</u>

44   <u>(iii) the cause of action is brought to address any harm resulting from the criminal</u>

45 <u>conduct that was at issue in the criminal proceeding described in Subsection (2)(a)(ii); and</u>

46   <u>(iv) the applicable statute of limitations that would apply to the conduct at issue in the</u>

47 <u>cause of action did not expire before May 4, 2022.</u>

48   <u>(b) A defendant does not need to be convicted of the criminal conduct for an individual</u>

49 <u>to bring a cause of action under Subsection (2)(a).</u>

50   <u>(3) Subsection (2)(a) does not:</u>

51   <u>(a) shorten an applicable statute of limitations or an applicable tolling provision;</u>

52   <u>(b) toll or extend an applicable statute of limitations for an action that is brought</u>

53 <u>against an employer or former employer of a defendant described in Subsection (2)(a)(i); or</u>

54   <u>(c) require an insurer to defend or indemnify a defendant for a cause of action that</u>

55 <u>would otherwise be barred if not for Subsection (2)(a).</u>