

90 which this chapter applies, or at a later time on a showing of good cause, the party may file a
91 special motion for expedited relief to dismiss the cause of action or part of the cause of action.

92 Section 4. Section **78B-25-104** is enacted to read:

93 **78B-25-104. Stay.**

94 (1) Except as provided in Subsections (4) through (7), on the filing of a motion under
95 Section 78B-25-103:

96 (a) all other proceedings between the moving party and responding party, including
97 discovery and a pending hearing or motion, are stayed; and

98 (b) on motion by the moving party, the court may stay a hearing or motion involving
99 another party, or discovery by another party, if the hearing or ruling on the motion would
100 adjudicate, or the discovery would relate to, an issue material to the motion under Section
101 78B-25-103.

102 (2) A stay under Subsection (1) remains in effect until the day on which an order ruling
103 on the motion under Section 78B-25-103 is entered and expiration of the time under ~~Ĥ~~→ [Section
104 78B-25-109] Utah Rules of Appellate Procedure, Rule 4, ←Ĥ for the moving party to appeal the
104a order.

105 (3) (a) Except as provided in Subsections (5), (6), and (7), if a party appeals from an
106 order ruling on a motion under Section 78B-25-103, all proceedings between all parties in the
107 action are stayed.

108 (b) A stay under Subsection (3)(a) remains in effect until the day on which the appeal
109 concludes.

110 (4) During a stay under Subsection (1), the court may allow limited discovery if a party
111 shows that specific information is necessary to establish whether a party has satisfied or failed
112 to satisfy a burden under Subsection 78B-25-107(1) and the information is not reasonably
113 available unless discovery is allowed.

114 (5) A motion under Section 78B-25-110 for costs, attorney fees, and expenses is not
115 subject to a stay under this section.

116 (6) A stay under this section does not affect a party's ability to voluntarily dismiss a
117 cause of action or part of a cause of action or move to sever a cause of action.

118 (7) During a stay under this section, the court for good cause may hear and rule on:

119 (a) a motion unrelated to the motion under Section 78B-25-103; and

120 (b) a motion seeking a special or preliminary injunction to protect against an imminent

152 (2) A voluntary dismissal without prejudice of a responding party's cause of action, or
 153 part of a cause of action, that is the subject of a motion under Section 78B-25-103 does not
 154 affect a moving party's right to obtain a ruling on the motion and seek costs, attorney fees, and
 155 expenses under Section 78B-25-110.

156 (3) A voluntary dismissal with prejudice of a responding party's cause of action, or part
 157 of a cause of action, that is the subject of a motion under Section 78B-25-103 establishes for
 158 the purpose of Section 78B-25-110 that the moving party prevailed on the motion.

159 Section 8. Section **78B-25-108** is enacted to read:

160 **78B-25-108. Ruling.**

161 The court shall rule on a motion under Section 78B-25-103 not later than 60 days after
 162 the day on which a hearing is held under Section 78B-25-105.

163 Section 9. Section **78B-25-109** is enacted to read:

164 **78B-25-109. Appeal.**

165 (1) A moving party may appeal as a matter of right from an order denying, in whole or
 166 in part, a motion under Section 78B-25-103.

167 (2) The appeal shall be filed ~~H~~→ [not later than 21 days after the day on which the order is
 168 entered.] in accordance with Utah Rules of Appellate Procedure, Rule 4. ←~~H~~

169 Section 10. Section **78B-25-110** is enacted to read:

170 **78B-25-110. Costs, attorney fees, and expenses.**

171 On a motion under Section 78B-25-103, the court shall award court costs, reasonable
 172 attorney fees, and reasonable litigation expenses related to the motion:

173 (1) to the moving party if the moving party prevails on the motion; or

174 (2) to the responding party if the responding party prevails on the motion and the court
 175 finds that the motion was frivolous or filed solely with intent to delay the proceeding.

176 Section 11. Section **78B-25-111** is enacted to read:

177 **78B-25-111. Construction.**

178 This chapter shall be broadly construed and applied to protect the exercise of the right
 179 of freedom of speech and of the press, the right to assemble and petition, and the right of
 180 association, guaranteed by the United States Constitution or the Utah Constitution.

181 Section 12. Section **78B-25-112** is enacted to read:

182 **78B-25-112. Uniformity of application and construction.**

183 In applying and construing this uniform act, consideration shall be given to the need to
184 promote uniformity of the law with respect to the uniform law's subject matter among states
185 that enact the uniform law.

186 Section 13. Section **78B-25-113** is enacted to read:

187 **78B-25-113. Transitional provision.**

188 This chapter applies to a civil action filed or cause of action asserted in a civil action on
189 or after May 3, 2023.

190 Section 14. Section **78B-25-114** is enacted to read:

191 **78B-25-114. Savings clause.**

192 This chapter does not affect a cause of action asserted before May 3, 2023, in a civil
193 action or a motion under ~~H~~→ [Title 78B,] ←~~H~~ Chapter 6, Part 14, Citizen Participation in
193a Government
194 Act, regarding the cause of action.

195 Section 15. Section **78B-25-115** is enacted to read:

196 **78B-25-115. Severability.**

197 If any provision of this chapter or the chapter's application to any person or
198 circumstance is held invalid, the invalidity does not affect other provisions or applications of
199 this chapter which can be given effect without the invalid provision or application, and to this
200 end the provisions of this chapter are severable.

201 Section 16. **Repealer.**

202 This bill repeals:

203 Section **78B-6-1401, Title.**

204 Section **78B-6-1402, Definitions.**

205 Section **78B-6-1403, Applicability.**

206 Section **78B-6-1404, Procedures.**

207 Section **78B-6-1405, Counter actions -- Attorney fees -- Damages.**