

**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: \_\_\_\_\_

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**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

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*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.