

Representative LaWanna Lou Shurtliff proposes the following substitute bill:

CRIME VICTIMS - CHANGE OF LOCKS

ON RENTAL PROPERTY

2005 GENERAL SESSION

STATE OF UTAH

Sponsor: LaWanna Lou Shurtliff

LONG TITLE

General Description:

This bill amends the Utah Fit Premises Act to provide crime victims the right to have the lock to a residential rental unit changed at the renter's expense.

Highlighted Provisions:

This bill:

▶ enacts a provision allowing a renter who is a victim of one of a list of certain crimes to require the owner to install a new lock at the renter's expense.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

57-22-5.1, Utah Code Annotated 1953

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

Section 1. Section **57-22-5.1** is enacted to read:

57-22-5.1. Crime victim's right to new locks.



26 (1) For purposes of this section, "crime victim" means a victim of:

27 (a) domestic violence, as defined in Section 77-36-1;

28 (b) stalking as defined in Section 76-5-106.5;

29 (c) a crime under Title 76, Chapter 5, Part 4, Sexual Offenses;

30 (d) burglary or aggravated burglary under Section 76-6-202 or 76-6-203; or

31 (e) dating violence, consisting of verbal, emotional, psychological, physical, or sexual
 32 abuse of one person by another in a dating relationship.

33 (2) An acceptable form of documentation of an act listed in Subsection (1) is:

34 (a) a protective order protecting the renter issued pursuant to Title 30, Chapter 6,
 35 Cohabitant Abuse Act, subsequent to a hearing of which the petitioner and respondent have
 36 been given notice under Title 30, Chapter 6; or

37 (b) a copy of a police report documenting an act listed in Subsection (1).

38 (3) (a) A renter who is a crime victim may require the renter's owner to install a new
 39 lock to the renter's residential rental unit if the renter:

40 (i) provides the owner with an acceptable form of documentation of an act listed in
 41 Subsection (1); and

42 (ii) pays for the cost of installing the new lock.

42a **Ĥ→ (b) An owner may comply with Subsection (3)(a) by:**

42b **(i) rekeying the lock if the lock is in good working condition; or**

42c **(ii) changing the entire locking mechanism with a locking mechanism of equal or**
 42d **greater quality than the lock being replaced.**

43 ~~[(b)]~~ **(c) ←Ĥ** An owner who installs a new lock under Subsection (3)(a) may retain a
 43a copy of the

44 key that opens the new lock.

45 **Ĥ→ [(c)] (d) ←Ĥ** Notwithstanding any rental agreement, an owner who installs a new
 45a lock under

46 Subsection (3)(a) **Ĥ→ [may] shall ←Ĥ** refuse to provide a copy of the key that opens the new lock
 46a to the

47 perpetrator of the act listed in Subsection (1).

47a **Ŝ→ (e) Notwithstanding Section 78-36-12, if an owner refuses to provide a copy of the key**
 47b **under Subsection (3)(d) to a perpetrator who is not barred from the residential rental unit by a**

47c **protective order but is a renter on the rental agreement, the perpetrator may file a petition**

47d **with a court of competent jurisdiction within 30 days to: ←Ŝ**

47e **§→ (i) establish whether the perpetrator should be given a key and allowed access to the**
47f **residential rental unit; or**
47g **(ii) whether the perpetrator should be relieved of further liability under the rental**
47h **agreement because of the owner's exclusion of the perpetrator from the residential rental unit.**
47i **(f) Notwithstanding Subsection (3)(e)(ii), a perpetrator may not be relieved of further**
47j **liability under the rental agreement if the perpetrator is found by the court to have committed**
47k **the act upon which the landlord's exclusion of the perpetrator is based. ←§**

