

H.B. 376
LANDLORD-TENANT RIGHTS

Representative **James A. Dunnigan** proposes the following amendments:

1. *Page 1, Lines 12 through 13:*

12 { ~~addresses the preparation of summons and timing of when to appear and defend an~~
13 ~~action;~~ }

2. *Page 1, Lines 23 through 24:*

23 AMENDS:
24 { ~~78B-6-807, as last amended by Laws of Utah 2016, Chapter 33~~ }

3. *Page 2, Lines 29 through 50*

House Committee Amendments
2-22-2017:

29 { ~~Section 1. Section 78B-6-807 is amended to read:~~

30 ~~78B-6-807. Allegations permitted in complaint -- Time for appearance -- Service~~
31 ~~of summons:~~

32 ~~(1) The plaintiff, in [his] the plaintiff's complaint:~~

33 ~~(a) shall set forth the facts on which [he] the plaintiff seeks to recover;~~

34 ~~(b) may set forth any circumstances of fraud, force, or violence which may have~~
35 ~~accompanied the alleged forcible entry, or forcible or unlawful detainer; and~~

36 ~~(c) claim damages or compensation for the occupation of the premises, or both.~~

37 ~~(2) If the unlawful detainer charged is after default in the payment of rent, the~~
38 ~~complaint shall state the amount of rent due.~~

39 ~~[(3) The summons shall include the number of days within which the defendant is~~
40 ~~required to appear and defend the action, which shall be three business days from the date of~~
41 ~~service, unless the defendant objects to the number of days, and the court determines that the~~
42 ~~facts of the case should allow more time.]~~

43 ~~(3) ~~It~~ ~~shall~~ [A defendant shall] A summons shall direct the defendant to ~~it~~ appear and~~
44 ~~defend the action within three business days from the~~
45 ~~date of service. ~~It~~ [Prominent notice of this requirement shall be separately endorsed by a judge, a~~
46 ~~clerk of the court, or counsel for the plaintiff.] ~~It~~~~

46 ~~(4) The court may authorize service by publication or mail for cause shown.~~

47 ~~(5) Service by publication is complete one week after publication.~~

48 ~~(6) Service by mail is complete three days after mailing.~~

49 ~~—— (7) The summons shall be changed in form to conform to the time of service as~~
50 ~~ordered, and shall be served as in other cases.—}~~

Renumber remaining sections accordingly.