

# HB0540S02 compared with HB0540S01

~~{Omitted text}~~ shows text that was in HB0540S01 but was omitted in HB0540S02

inserted text shows text that was not in HB0540S01 but was inserted into HB0540S02

**DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.**

## 1        **Judicial Transparency~~{,}~~ and Information Access~~{, and Transition}~~ Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Logan J. Monson**

Senate Sponsor: Brady Brammer

2

---

### 3        **LONG TITLE**

#### 4        **General Description:**

5            This bill addresses public access to court records and proceedings~~{,}~~ and judicial financial disclosures~~{, and employment of a former judge}~~ .

#### 7        **Highlighted Provisions:**

8            This bill:

- 9            ▶ defines terms;
- 10           ▶ addresses access to an audio recording of a public court proceeding;
- 11           ▶ requires the Judicial Council to create and maintain a single website for all public court records;
- 13           ▶ provides the requirements for the website containing all public court records;
- 14           ▶ addresses fees for court records;
- 15           ▶ ~~{ prohibits a law firm from hiring a judge for two years after the judge leaves office in certain circumstances; }~~
- 17           ▶ requires the Judicial Council to create a rule on judicial financial disclosures and to report to the Judiciary Interim Committee; and
- 19           ▶ makes technical and conforming changes.

**HB0540S01**

## HB0540S01 compared with HB0540S02

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 This bill provides a special effective date.

22 **Utah Code Sections Affected:**

23 AMENDS:

24 **63G-2-302 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 172

25 **78A-2-301 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 291

26 **78A-2-301.5 (Effective 01/01/27)**, as last amended by Laws of Utah 2022, Chapter 384

27 ENACTS:

28 **78A-1-201 (Effective 01/01/27)**, Utah Code Annotated 1953

29 **78A-1-203 (Effective 01/01/27)**, Utah Code Annotated 1953

30 **78A-1-204 (Effective 01/01/27)**, Utah Code Annotated 1953

31 **78A-2-114 (Effective 05/06/26), Utah Code Annotated 1953**

32 **78A-2-301.7 (Effective 01/01/27)**, Utah Code Annotated 1953

34 ~~**{78A-9a-101 (Effective 05/06/26), Utah Code Annotated 1953}**~~

35 ~~**{78A-9a-102 (Effective 05/06/26), Utah Code Annotated 1953}**~~

36 ~~**{78A-9a-103 (Effective 05/06/26), Utah Code Annotated 1953}**~~

33 RENUMBERS AND AMENDS:

34 **78A-1-202 (Effective 01/01/27)**, (Renumbered from 78A-2-208, as last amended by Laws of Utah  
2023, Chapter 394)

36

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

38 Section 1. Section **63G-2-302** is amended to read:

39 **63G-2-302. Private records.**

44 (1) The following records are private:

45 (a) records concerning an individual's eligibility for unemployment insurance benefits, social services,  
welfare benefits, or the determination of benefit levels;

47 (b) records containing data on individuals describing medical history, diagnosis, condition, treatment,  
evaluation, or similar medical data;

49

## HB0540S01 compared with HB0540S02

- (c) records of publicly funded libraries that when examined alone or with other records identify a patron;
- 51 (d) records received by or generated by or for:
- 52 (i) the Independent Legislative Ethics Commission, except for:
- 53 (A) the commission's summary data report that is required under legislative rule; and
- 55 (B) any other document that is classified as public under legislative rule; or
- 56 (ii) a Senate or House Ethics Committee in relation to the review of ethics complaints, unless the record is classified as public under legislative rule;
- 58 (e) records received by, or generated by or for, the Independent Executive Branch Ethics Commission, except as otherwise expressly provided in Title 63A, Chapter 14, Review of Executive Branch Ethics Complaints;
- 61 (f) records received or generated for a Senate confirmation committee concerning character, professional competence, or physical or mental health of an individual:
- 63 (i) if, ~~[prior to]~~ before the meeting, the chair of the committee determines release of the records:
- 65 (A) reasonably could be expected to interfere with the investigation undertaken by the committee; or
- 67 (B) would create a danger of depriving a person of a right to a fair proceeding or impartial hearing; and
- 69 (ii) after the meeting, if the meeting was closed to the public;
- 70 (g) employment records concerning a current or former employee of, or applicant for employment with, a governmental entity that would disclose that individual's home address, home telephone number, social security number, insurance coverage, marital status, or payroll deductions;
- 74 (h) records or parts of records under Section 63G-2-303 that a current or former employee identifies as private according to the requirements of that section;
- 76 (i) that part of a record indicating a person's social security number or federal employer identification number if provided under Section 31A-23a-104, 31A-25-202, 31A-26-202, 58-1-301, 58-55-302, 61-1-4, or 61-2f-203;
- 79 (j) that part of a voter registration record identifying a voter's:
- 80 (i) driver license or identification card number;
- 81 (ii) social security number, or last four digits of the social security number;
- 82 (iii) email address;
- 83 (iv) date of birth; or
- 84 (v) phone number;

## HB0540S01 compared with HB0540S02

- 85 (k) a voter registration record that is classified as a private record by the lieutenant governor or a county  
clerk under Subsection 20A-2-101.1(5)(a), 20A-2-104(4)(h), or 20A-2-204(4)(b);
- 88 (l) a voter registration record that is withheld under Subsection 20A-2-104(7);
- 89 (m) a withholding request form described in Subsections 20A-2-104(7) and (8) and any verification  
submitted in support of the form;
- 91 (n) a record or information regarding whether a voter returned a ballot with postage attached;
- 93 (o) a record that:
- 94 (i) contains information about an individual;
- 95 (ii) is voluntarily provided by the individual; and
- 96 (iii) goes into an electronic database that:
- 97 (A) is designated by and administered under the authority of the [~~Chief Information Officer~~] chief  
information officer; and
- 99 (B) acts as a repository of information about the individual that can be electronically retrieved and used  
to facilitate the individual's online interaction with a state agency;
- 102 (p) information provided to the [~~Commissioner of Insurance~~] commissioner of insurance under:
- 104 (i) Subsection 31A-23a-115(3)(a);
- 105 (ii) Subsection 31A-23a-302(4); or
- 106 (iii) Subsection 31A-26-210(4);
- 107 (q) information obtained through a criminal background check under Title 11, Chapter 40, Criminal  
Background Checks by Political Subdivisions Operating Water Systems;
- 109 (r) information provided by an offender that is:
- 110 (i) required by the registration requirements of Title 53, Chapter 29, Sex, Kidnap, and Child Abuse  
Offender Registry; and
- 112 (ii) not required to be made available to the public under Subsection 53-29-404(3)(a);
- 113 (s) a statement and any supporting documentation filed with the attorney general in accordance with  
Section 34-45-107, if the federal law or action supporting the filing involves homeland security;
- 116 (t) electronic toll collection customer account information received or collected under Section 72-6-118  
and customer information described in Section 17B-2a-815 received or collected by a public transit  
district, including contact and payment information and customer travel data;
- 120 (u) an email address provided by a military or overseas voter under Section 20A-16-501;
- 121

## HB0540S01 compared with HB0540S02

- (v) a completed military-overseas ballot that is electronically transmitted under Title 20A, Chapter 16, Uniform Military and Overseas Voters Act;
- 123 (w) records received by or generated by or for the Political Subdivisions Ethics Review Commission established in Section 63A-15-201, except for:
  - 125 (i) the commission's summary data report that is required in Section 63A-15-202; and
  - 126 (ii) any other document that is classified as public in accordance with Title 63A, Chapter 15, Political Subdivisions Ethics Review Commission;
- 128 (x) a record described in Section 53G-9-604 that verifies that a parent was notified of an incident or threat;
- 130 (y) a criminal background check or credit history report conducted in accordance with Section 63A-3-201;
- 132 (z) a record described in Subsection 53-5a-104(7);
- 133 (aa) on a record maintained by a county for the purpose of administering property taxes, an individual's:
  - 135 (i) email address;
  - 136 (ii) phone number; or
  - 137 (iii) personal financial information related to a person's payment method;
- 138 (bb) a record submitted by a taxpayer to establish the taxpayer's eligibility for an exemption, deferral, abatement, or relief under:
  - 140 (i) Title 59, Chapter 2, Part 11, Exemptions; or
  - 141 (ii) Title 59, Chapter 2a, Tax Relief Through Property Tax;
  - 142 (cc) a record provided by the State Tax Commission in response to a request under Subsection 59-1-403(4)(y)(iii);
  - 144 (dd) a record of the Child Welfare Legislative Oversight Panel regarding an individual child welfare case, as described in Subsection 36-33-103(3);
  - 146 (ee) a record relating to drug or alcohol testing of a state employee under Section 63A-17-1004;
  - 148 (ff) a record relating to a request by a state elected official or state employee who has been threatened to the Division of Technology Services to remove personal identifying information from the open web under Section 63A-16-109;
  - 151 (gg) a record including confidential information as that term is defined in Section 67-27-106; and
  - 153 (hh) a record or notice received or generated under Title 53, Chapter 30, Security Improvements Act, relating to:

## HB0540S01 compared with HB0540S02

- 155 (i) an application for certification described in Section 53-30-201; or  
156 (ii) a security improvement, including a building permit application or building permit for a security  
improvement described in Section 53-30-301.
- 158 (2) The following records are private if properly classified by a governmental entity:
- 159 (a) records concerning a current or former employee of, or applicant for employment with a  
governmental entity, including performance evaluations and personal status information such  
as race, religion, or disabilities, but not including records that are public under Subsection  
63G-2-301(2)(b) or 63G-2-301(3)(o) or private under Subsection (1)(b);
- 164 (b) records describing an individual's finances, except that the following are public:
- 165 (i) records described in Subsection 63G-2-301(2);  
166 (ii) information provided to the governmental entity for the purpose of complying with a financial  
assurance requirement; or  
168 (iii) records that must be disclosed in accordance with another statute or a rule described in Section  
78A-9a-103;
- 170 (c) records of independent state agencies if the disclosure of those records would conflict with the  
fiduciary obligations of the agency;
- 172 (d) other records containing data on individuals the disclosure of which constitutes a clearly  
unwarranted invasion of personal privacy;
- 174 (e) records provided by the United States or by a government entity outside the state that are given  
with the requirement that the records be managed as private records, if the providing entity states in  
writing that the record would not be subject to public disclosure if retained by it;
- 178 (f) any portion of a record in the custody of the Division of Aging and Adult Services, created in  
Section 26B-6-102, that may disclose, or lead to the discovery of, the identity of a person who made  
a report of alleged abuse, neglect, or exploitation of a vulnerable adult; and
- 182 (g) audio and video recordings created by a body-worn camera, as defined in Section 77-7a-103, that  
record sound or images inside a home or residence except for recordings that:
- 185 (i) depict the commission of an alleged crime;  
186 (ii) record any encounter between a law enforcement officer and a person that results in death or bodily  
injury, or includes an instance when an officer fires a weapon;
- 188 (iii) record any encounter that is the subject of a complaint or a legal proceeding against a law  
enforcement officer or law enforcement agency;

## HB0540S01 compared with HB0540S02

- 190 (iv) contain an officer-involved critical incident as defined in Subsection 76-2-408(1)(f); or  
192 (v) have been requested for reclassification as a public record by a subject or authorized agent of a  
subject featured in the recording.
- 194 (3)  
(a) As used in this Subsection (3), "medical records" means medical reports, records, statements,  
history, diagnosis, condition, treatment, and evaluation.
- 196 (b) Medical records in the possession of the University of Utah Hospital, its clinics, doctors, or  
affiliated entities are not private records or controlled records under Section 63G-2-304 when the  
records are sought:
- 199 (i) in connection with any legal or administrative proceeding in which the patient's physical, mental, or  
emotional condition is an element of any claim or defense; or  
201 (ii) after a patient's death, in any legal or administrative proceeding in which any party relies upon the  
condition as an element of the claim or defense.
- 203 (c) Medical records are subject to production in a legal or administrative proceeding according to  
state or federal statutes or rules of procedure and evidence as if the medical records were in the  
possession of a nongovernmental medical care provider.

202 Section 2. Section 2 is enacted to read:

204 **78A-1-201. Definitions for part.**

2. Public Access to Courts

As used in this part:

- 210 (1) "Court" means the justice court, the district court, the juvenile court, the Business and Chancery  
Court, the Court of Appeals, or the Supreme Court.
- 212 (2) "Court proceeding" means a proceeding, trial, or other appearance before a court of this state.
- 214 (3) "Court record" means all or any portion of papers, documents, exhibits, orders, opinions, recordings,  
dockets, and other information that are made, entered, filed, or maintained by a court in connection  
with a case or court proceeding.
- 217 (4) "Court record website" means the website for court records described in Subsection 78A-1-204(1).
- 219 (5) "Public court proceeding" means a court proceeding that is open to the public.
- 220 (6) "Public court record" means any court record that is not prohibited by law from public disclosure.

218 Section 3. Section **78A-1-202** is renumbered and amended to read:

220

## HB0540S01 compared with HB0540S02

### ~~[78A-2-208]~~ 78A-1-202. Court proceedings to be public -- Notice to public of recording --

#### Right to exclude in certain cases.

226 [~~(1) The sittings of every court of this state are public, except as provided in Subsections (3) and (4).~~]

228 (1) Except as otherwise provided in this section, a court proceeding is public.

229 (2) The Judicial Council shall require that notice be given to the public that ~~[the proceedings are]~~ a  
court proceeding is being recorded when an electronic or digital recording system is being used  
during ~~[court proceedings]~~ the court proceeding.

232 (3) The court may, in the court's discretion, during the examination of a witness exclude any and all  
other witnesses in ~~[the proceedings]~~ the court proceeding.

234 (4) In an action of divorce, criminal conversation, seduction, abortion, rape, or assault with intent to  
commit rape, the court may, in the court's discretion, exclude all persons who do not have a direct  
interest in the ~~[proceedings]~~ court proceeding, except jurors, witnesses, and officers of the court.

234 Section 4. Section 4 is enacted to read:

#### 235 78A-1-203. Audio recording of a public court proceeding -- Reporting requirement.

241 (1)

(a) An audio recording shall be made of each public court proceeding.

242 (b) An audio recording described in Subsection (1)(a) shall include all open portions of the public court  
proceeding from the commencement of the public court proceeding through the adjournment of the  
public court proceeding.

245 (2)

(a) An individual may request an audio recording of a public court proceeding.

246 (b) Upon a request for an audio recording of a public court proceeding, the Administrative Office of the  
Court shall provide the audio recording to the individual.

248 (c) To the extent possible, the Administrative Office of the Courts shall expedite a request for an audio  
recording if the individual is a party to the public court proceeding.

251 (d) An individual may only be charged a fee for an audio recording as described in Section  
78A-2-301.7.

253 (3) This section does not apply to a public court proceeding in the justice court.

254 (4) Before November 30, 2026, the Judicial Council shall report, in writing, recommendations to the  
Judiciary Interim Committee on:

256 (a) whether audio recordings of public court proceedings should be freely available to the public; and

## HB0540S01 compared with HB0540S02

- 258 (b) how audio recordings of public court proceedings can be made freely available to the public.  
256 Section 5. Section 5 is enacted to read:  
257 **78A-1-204. Requirements for court record website.**  
262 (1)  
(a) The Judicial Council shall establish and maintain a single website that allows the public to search  
and access all public court records in accordance with the requirements of this section.  
265 (b) The Judicial Council shall contract, in accordance with Title 63G, Chapter 6a, Utah Procurement  
Code, with a third party to establish and maintain the court record website under Subsection (1)(a).  
268 (2) To comply with Section 78A-2-233, the court record website shall provide remote access to all  
public court records through a network or system that:  
270 (a) is secure; and  
271 (b) provides restricted access through security standards developed by the Judicial Council, including a  
registration requirement under which a prospective user must provide the prospective user's:  
274 (i) identity;  
275 (ii) business or residence address; and  
276 (iii) citizenship status.  
277 (3)  
(a) The court record website shall allow an individual to conduct a search by using:  
278 (i) the name of a court;  
279 (ii) the name of a party, judge, or attorney;  
280 (iii) the name of a judicial district;  
281 (iv) a case number;  
282 (v) a case type;  
283 (vi) a filing date;  
284 (vii) the case status; and  
285 (viii) for a criminal case:  
286 (A) the section of the Utah Code under which an offense is charged; and  
287 (B) the disposition of a charged offense.  
288 (4) Except as provided in Section 78A-2-301.7, the Judicial Council may not require a person to pay a  
fee to:  
290 (a) access the court record website;

## HB0540S01 compared with HB0540S02

- 291 (b) create an account or register to obtain access to the court record website;  
292 (c) conduct a search in the court record website; or  
293 (d) download a document from the court record website.  
294 (5) The Judicial Council shall post a link to the court record website in a prominent place on the website  
for the Utah state courts.

292 Section 6. Section 6 is enacted to read:

293 **78A-2-114. Judicial financial disclosure -- Reporting requirement.**

- 295 (1) As used in this section, "judicial officer" means a judge or a court commissioner of the justice court,  
the district court, the juvenile court, the Business and Chancery Court, the Court of Appeals, or the  
Supreme Court.
- 298 (2) The Judicial Council shall:
- 299 (a) by rule, require a judicial officer to submit an annual financial disclosure that is comparable to the  
conflict of interest disclosure described in Section 20A-11-1604; and
- 302 (b) post a judicial officer's annual financial disclosure described in Subsection (2)(a) on a website that  
allows the public to access the disclosure.
- 304 (3) Before November 1, 2026, the Judicial Council shall submit a written report describing the actions  
the Judicial Council has taken under Subsection (2) to the Judiciary Interim Committee.

307 Section 7. Section **78A-2-301** is amended to read:

308 **78A-2-301. Civil fees of the courts of record -- Courts complex design.**

- 300 (a) The fee for filing any civil complaint or petition invoking the jurisdiction of a court of record not  
governed by another subsection is \$375.
- 302 (b) The fee for filing a complaint or petition is:
- 303 (i) \$90 if the claim for damages or amount in interpleader exclusive of court costs, interest, and attorney  
fees is \$2,000 or less;
- 305 (ii) \$200 if the claim for damages or amount in interpleader exclusive of court costs, interest, and  
attorney fees is greater than \$2,000 and less than \$10,000;
- 307 (iii) \$375 if the claim for damages or amount in interpleader is \$10,000 or more;
- 308 (iv) except as provided in Subsection (1)(b)(v), \$325 if the petition is filed for an action described in  
Title 81, Chapter 4, Dissolution of Marriage;
- 310 (v) \$35 for a petition for temporary separation described in Section 81-4-104;
- 311

## HB0540S01 compared with HB0540S02

- (vi) \$125 if the petition is for removal from the Sex, Kidnap, and Child Abuse Offender Registry under Section 53-29-204, 53-29-205, or 53-29-206; and
- 313 (vii) \$35 if the petition is for guardianship and the prospective ward is the biological or adoptive child of the petitioner.
- 315 (c) The fee for filing a small claims affidavit is:
- 316 (i) \$60 if the claim for damages or amount in interpleader exclusive of court costs, interest, and attorney fees is \$2,000 or less;
- 318 (ii) \$100 if the claim for damages or amount in interpleader exclusive of court costs, interest, and attorney fees is greater than \$2,000, but less than \$7,500; and
- 320 (iii) \$185 if the claim for damages or amount in interpleader exclusive of court costs, interest, and attorney fees is \$7,500 or more.
- 322 (d) The fee for filing a counter claim, cross claim, complaint in intervention, third party complaint, or other claim for relief against an existing or joined party other than the original complaint or petition is:
- 325 (i) \$55 if the claim for relief exclusive of court costs, interest, and attorney fees is \$2,000 or less;
- 327 (ii) \$165 if the claim for relief exclusive of court costs, interest, and attorney fees is greater than \$2,000 and less than \$10,000;
- 329 (iii) \$170 if the original petition is filed under Subsection (1)(a), the claim for relief is \$10,000 or more, or the party seeks relief other than monetary damages; and
- 331 (iv) \$130 if the original petition is filed for an action described in Title 81, Chapter 4, Dissolution of Marriage.
- 333 (e) The fee for filing a small claims counter affidavit is:
- 334 (i) \$50 if the claim for relief exclusive of court costs, interest, and attorney fees is \$2,000 or less;
- 336 (ii) \$70 if the claim for relief exclusive of court costs, interest, and attorney fees is greater than \$2,000, but less than \$7,500; and
- 338 (iii) \$120 if the claim for relief exclusive of court costs, interest, and attorney fees is \$7,500 or more.
- 340 (f) The fee for depositing funds under Section 57-1-29 when not associated with an action already before the court is determined under Subsection (1)(b) based on the amount deposited.
- 343 (g) The fee for filing a petition is:
- 344 (i) \$240 for trial de novo of an adjudication of the justice court or of the small claims department; and
- 346

## HB0540S01 compared with HB0540S02

- (ii) \$80 for an appeal of a municipal administrative determination in accordance with Section 10-3-703.7.
- 348 (h) The fee for filing a notice of appeal, petition for appeal of an interlocutory order, or petition for writ of certiorari is \$240.
- 350 (i) The fee for filing a petition for expungement is \$150.
- 351 (j)
- (i) Fifteen dollars of the fees established by Subsections (1)(a) through (i) shall be allocated to and between the Judges' Contributory Retirement Trust Fund and the Judges' Noncontributory Retirement Trust Fund, as provided in Title 49, Chapter 17, Judges' Contributory Retirement Act, and Title 49, Chapter 18, Judges' Noncontributory Retirement Act.
- 356 (ii) Four dollars of the fees established by Subsections (1)(a) through (i) shall be allocated by the state treasurer to be deposited into the restricted account, Children's Legal Defense Account, as provided in Section 51-9-408.
- 359 (iii) Five dollars of the fees established under Subsections (1)(a) through (e), (1)(g), and (1)(s) shall be allocated to and deposited with the Dispute Resolution Account as provided in Section 78B-6-209.
- 362 (iv) Thirty dollars of the fees established by Subsections (1)(a), (1)(b)(iii) and (iv), (1)(d)(iii) and (iv), (1)(g)(ii), (1)(h), and (1)(i) shall be allocated by the state treasurer to be deposited into the restricted account, Court Security Account, as provided in Section 78A-2-602.
- 366 (v) Twenty dollars of the fees established by Subsections (1)(b)(i) and (ii), (1)(d)(ii) and (1)(g)(i) shall be allocated by the state treasurer to be deposited into the restricted account, Court Security Account, as provided in Section 78A-2-602.
- 369 (k) The fee for filing a judgment, order, or decree of a court of another state or of the United States is \$35.
- 371 (l) The fee for filing a renewal of judgment in accordance with [Section 78B-6-1801]Title 78B, Chapter 6, Part 18, Renewal of Judgment Act, is 50% of the fee for filing an original action seeking the same relief.
- 374 (m) The fee for filing probate or child custody documents from another state is \$35.
- 375 (n)
- (i) The fee for filing an abstract or transcript of judgment, order, or decree of the State Tax Commission is \$30.

377

## HB0540S01 compared with HB0540S02

- (ii) The fee for filing an abstract or transcript of judgment of a court of law of this state or a judgment, order, or decree of an administrative agency, commission, board, council, or hearing officer of this state or of [its]the state's political subdivisions other than the State Tax Commission, is \$50.
- 381 (o) The fee for filing a judgment by confession without action under Section 78B-5-205 is \$35.
- 383 (p) The fee for filing an award of arbitration for confirmation, modification, or vacation under Title 78B, Chapter 11, Utah Uniform Arbitration Act, that is not part of an action before the court is \$35.
- 386 (q) The fee for filing a petition or counter-petition to modify a domestic relations order other than a protective order or stalking injunction is \$100.
- 388 (r) The fee for filing any accounting required by law is:
- 389 (i) \$15 for an estate valued at \$50,000 or less;
- 390 (ii) \$30 for an estate valued at \$75,000 or less but more than \$50,000;
- 391 (iii) \$50 for an estate valued at \$112,000 or less but more than \$75,000;
- 392 (iv) \$90 for an estate valued at \$168,000 or less but more than \$112,000; and
- 393 (v) \$175 for an estate valued at more than \$168,000.
- 394 (s) The fee for filing a demand for a civil jury is \$250.
- 395 (t) The fee for filing a notice of deposition in this state concerning an action pending in another state under Utah Rules of Civil Procedure, Rule 30 is \$35.
- 397 (u) The fee for filing documents that require judicial approval but are not part of an action before the court is \$35.
- 399 (v) The fee for a petition to open a sealed record is \$35.
- 400 (w) The fee for a writ of replevin, attachment, execution, or garnishment is \$50 in addition to any fee for a complaint or petition.
- 402 (x)
- (i) The fee for a petition for authorization for a minor to marry required by Section 81-2-304 is \$5.
- 404 (ii) The fee for a petition for emancipation of a minor provided in Title 80, Chapter 7, Emancipation, is \$50.
- 406 (y) The fee for a certificate issued under Section 26B-8-128 is \$8.
- 407 (z) The fee for a certified copy of a document is \$4 per document plus 50 cents per page.
- 408 (aa) The fee for an exemplified copy of a document is \$6 per document plus 50 cents per page.
- 410 [~~(bb) The Judicial Council shall, by rule, establish a schedule of fees for copies of documents and forms and for the search and retrieval of records under Title 63G, Chapter 2, Government Records Access~~

## HB0540S01 compared with HB0540S02

and Management Act. Fees under Subsection (1)(bb) and (cc) shall be credited to the court as a reimbursement of expenditures.]

415 [(cc) The Judicial Council may, by rule, establish a reasonable fee to allow members of the public to  
conduct a limited amount of searches on the Xchange database without having to pay a monthly  
subscription fee.]

418 [(dd) (2) There is no fee for services or the filing of documents not listed in this section or otherwise  
provided by law.

420 [(ee) (3) Except as provided in this section, all fees collected under this section are paid [to]into the  
General Fund[. Except as provided in this section, all fees shall be paid] at the time the clerk accepts  
the pleading for filing or performs the requested service.

423 [(ff) (4) The filing fees under this section may not be charged to the state, the state's agencies, or  
political subdivisions filing or defending any action.

425

(a) [In]Except as provided in Subsection (5)(b), in{, } judgments awarded in favor of the state[its] or  
the state's agencies[,] or political subdivisions, [except the Office of Recovery Services, ]the court  
shall order the filing fees and collection costs to be paid by the judgment debtor.

429 (b) Subsection (5)(a) does not apply to a judgment awarded in favor of the Office of Recovery Services.

431 (c) The sums collected under [this Subsection (1)(ff)]Subsection (5)(a) shall be applied to the fees after  
credit to the judgment, order, fine, tax, lien, or other penalty and costs permitted by law.

434 [(2)

(a)

(i) From March 17, 1994, until June 30, 1998, the state court administrator shall transfer all  
revenues representing the difference between the fees in effect after May 2, 1994, and the fees  
in effect before February 1, 1994, as dedicated credits to the Division of Facilities Construction  
and Management Capital Projects Fund.]

439 [(ii)

(A) Except as provided in Subsection (2)(a)(ii)(B), the Division of Facilities Construction and  
Management shall use up to \$3,750,000 of the revenue deposited into the Capital Projects Fund  
under this Subsection (2)(a) to design and take other actions necessary to initiate the development of  
a courts complex in Salt Lake City.]

444

## HB0540S01 compared with HB0540S02

447 [(B) If the Legislature approves funding for construction of a courts complex in Salt Lake City in the  
1995 Annual General Session, the Division of Facilities Construction and Management shall use  
the revenue deposited into the Capital Projects Fund under this Subsection (2)(a)(ii) to construct a  
courts complex in Salt Lake City.]

449 [(C) After the courts complex is completed and all bills connected with its construction have been  
paid, the Division of Facilities Construction and Management shall use any money remaining in the  
Capital Projects Fund under this Subsection (2)(a)(ii) to fund the Vernal District Court building.]

453 [(iii) The Division of Facilities Construction and Management may enter into agreements and  
make expenditures related to this project before the receipt of revenues provided for under this  
Subsection (2)(a)(iii).]

456 [(iv) The Division of Facilities Construction and Management shall:]

457 [(A) make those expenditures from unexpended and unencumbered building funds already appropriated  
to the Capital Projects Fund; and]

459 [(B) reimburse the Capital Projects Fund upon receipt of the revenues provided for under this  
Subsection (2).]

461 [(b)] (6)

(a) [After June 30, 1998, the] The state court administrator shall ensure that all revenues representing  
the difference between the fees in effect after May 2, 1994, and the fees in effect before February 1,  
1994, are transferred to the Division of Finance for deposit [in] into the restricted account created in  
Subsection (7).

465 [(e) The Division of Finance shall deposit all revenues received from the state court administrator  
into the restricted account created by this section.]

467 [(d)

(i) From May 1, 1995, until June 30, 1998, the state court administrator shall transfer \$7 of the amount  
of a fine or bail forfeiture paid for a violation of Title 41, Motor Vehicles, in a court of record to the  
Division of Facilities Construction and Management Capital Projects Fund. The division of money  
pursuant to Section 78A-5-110 shall be calculated on the balance of the fine or bail forfeiture paid.]

473 [(ii) After June 30, 1998, the]

474

(i) The state court administrator or a municipality shall transfer \$7 of the amount of a fine, or [bail  
forfeiture] voluntary payment under Section 77-7-21, paid for a violation of Title 41, Motor

## HB0540S01 compared with HB0540S02

Vehicles, in a court of record to the Division of Finance for deposit [in]into the restricted account created by this section.[ The division of money pursuant to Section 78A-5-110 shall be calculated on the balance of the fine or bail forfeiture paid.]

480 The remaining amount of the fine, or voluntary payment under Section 77-7-21, after the \$7 transfer  
483 described in Subsection (6)(b)(i) shall be allocated in accordance with Section 78A-5-110.

485 The Division of Finance shall deposit all revenues received under this Subsection (6) into the restricted  
486 account created in Subsection (7).

487 [~~(3)~~] (7)

(a) There is created within the General Fund a restricted account known as the State Courts Complex Account.

487 (b) The Legislature may appropriate money from the restricted account to the state court administrator for the following purposes only:

489 (i) to repay costs associated with the construction of the court complex that were funded from sources  
492 other than revenues provided for under this Subsection [~~(3)(b)(i)~~](7)(b)(i); and

492 (ii) to cover operations and maintenance costs on the court complex.

504 Section 8. Section **78A-2-301.5** is amended to read:

505 **78A-2-301.5. Civil fees for justice courts.**

495 (1) The fee for filing a small claims affidavit is:

496 (a) \$60 if the claim for damages or amount in interpleader exclusive of justice court costs, interest, and  
497 attorney fees is \$2,000 or less;

498 (b) \$100 if the claim for damages or amount in interpleader exclusive of justice court costs, interest, and  
499 attorney fees is greater than \$2,000, but less than \$7,500; and

500 (c) \$185 if the claim for damages or amount in interpleader exclusive of justice court costs, interest, and  
501 attorney fees is \$7,500 or more.

502 (2) The fee for filing a small claims counter affidavit is:

503 (a) \$50 if the claim for relief exclusive of justice court costs, interest, and attorney fees is \$2,000 or  
504 less;

505 (b) \$70 if the claim for relief exclusive of justice court costs, interest, and attorney fees is greater than  
506 \$2,000, but less than \$7,500; and

507 (c) \$120 if the claim for relief exclusive of justice court costs, interest, and attorney fees is \$7,500 or  
508 more.

## HB0540S01 compared with HB0540S02

- 509 (3) The fee for filing a petition for expungement is \$135.
- 510 (4) The fee for a petition to open a sealed record is \$35.
- 511 (5) The fee for a writ of replevin, attachment, execution, or garnishment is \$50 in addition to any fee for a complaint or petition.
- 513 (6)
- (a) The fee for filing a notice of appeal to a court of record is \$10.~~[-]~~
- 525 (b) ~~[-This]~~ The { fee { }
- 514 { (b) } { ~~The fee~~ } described in Subsection (6)(a) covers all services of the justice court on appeal but does not satisfy the trial de novo filing fee in the court of record.
- 516 (7) The fee for a certified copy of a document is \$4 per document plus 50 cents per page.
- 517 (8) The fee for an exemplified copy of a document is \$6 per document plus 50 cents per page.
- 519 (9) The fee schedule adopted by the Judicial Council for copies of documents and forms and for the search and retrieval of records under Title 63G, Chapter 2, Government Records Access and Management Act, shall apply.
- 522 (10) There is no fee for services or the filing of documents not listed in this section or otherwise provided by law.
- 524 (11)
- (a) The filing fees under this section may not be charged to the state~~[-]~~ { f } its] or the state's agencies~~[-]~~ or political subdivisions filing or defending any action.~~[-]~~
- 526 (b) ~~[In]~~ Except as provided in Subsection { ~~(11)(d)~~ } (11)(c), in judgments awarded in favor of the state~~[-]~~ { f } its] or the state's agencies~~[-]~~ or political subdivisions, ~~[except the Office of Recovery Services;~~ ]the court shall order the filing fees and collection costs to be paid by the judgment debtor.~~[-]~~
- 530 (c) Subsection (11)(b) does not apply to a judgment awarded in favor of the Office of Recovery Services.
- 543 (d) The sums collected under this Subsection (11) shall be applied to the fees after credit to the judgment, order, fine, tax, lien, or other penalty and costs permitted by law.
- 532 { ~~(d)~~ } { ~~Subsection (11)(b) does not apply to a judgment awarded in favor of the Office of Recovery Services.~~ } }
- 534 (12) The justice court may not impose any of the fees described in Subsection 78A-1-204(4) for a public court record from the justice court that is in the court records database described in Section 78A-1-204.

## HB0540S01 compared with HB0540S02

548 Section 9. Section 9 is enacted to read:

549 **78A-2-301.7. Fees for court records.**

539 (1) As used in this section, "court record website" means the website for court records described in Section 78A-1-204.

541 (2) The Judicial Council shall, by rule and in accordance with Section 63G-2-702 and Subsection 63G-2-203(3)(d), establish a schedule of fees for copies of documents and forms and for the search and retrieval of records under Title 63G, Chapter 2, Government Records Access and Management Act.

545 (3)

(a) Except as provided in Subsection (3)(b), the Judicial Council may not establish fees for the search and retrieval of records in the court records website.

547 (b) The Judicial Council may, by rule, require a person to pay a fee for:

548 (i) each search in the court record website that is beyond 50 for a calendar month; and

549 (ii) each download of a document in the court record website that is beyond 50 for a calendar month.

551 (4) The Judicial Council may establish fees to search and retrieve an audio recording of a public court proceeding under Section 78A-1-202, except that the Judicial Council may not establish a fee or a charge a fee:

554 (a) as provided in Subsection (5); or

555 (b) to a party requesting an audio recording of a public court proceeding.

556 (5) The fees under this section may not be charged to the state, the state's agencies, or political subdivisions.

558 (6) A fee under this section shall be credited to the court as a reimbursement of expenditures.

571 (7) The fees described in Section 78A-2-408 apply to a transcript or copy of a transcript.

560 Section 9. Section 9 is enacted to read:

561

### CHAPTER 9a. Judges

562 **78A-9a-101. Definitions for chapter.**

Reserved.

564 Section 10. Section 10 is enacted to read:

565 **78A-9a-102. Prohibition on hiring of a judge -- Time limit.**

566 (1) As used in this section, "judge" means a judge of a court of record in this state.

567

## HB0540S01 compared with HB0540S02

(2) If a law firm is representing, or intends to represent, a person in an action in which the person is suing a government entity of this state, the law firm may not hire a judge after the judge leaves office for two calendar years, beginning on the day that the judge leaves office and ending on the two-year anniversary of that day.

571 (3) This section applies to any judge or former judge regardless of the date on which the judge or former judge leaves office.

573 Section 11. Section **11** is enacted to read:

574 **78A-9a-103. Judicial financial disclosure -- Reporting requirement.**

576 (1) As used in this section, "judicial officer" means a judge or a court commissioner of the justice court, the district court, the juvenile court, the Business and Chancery Court, the Court of Appeals, or the Supreme Court.

579 (2) The Judicial Council shall:

580 (a) by rule, require a judicial officer to submit an annual financial disclosure that is comparable to the conflict of interest disclosure described in Section 20A-11-1604; and

583 (b) post a judicial officer's annual financial disclosure described in Subsection (2)(a) on a website that allows the public to access the disclosure.

585 (3) Before November 1, 2026, the Judicial Council shall submit a written report describing the actions the Judicial Council has taken under Subsection (2) to the Judiciary Interim Committee.

572 Section 10. **Effective date.**

Effective Date.

589 (1) Except as provided in Subsection (2), this bill takes effect January 1, 2027.

590 (2) The actions affecting ~~{the following sections}~~ **Section 78A-2-114 (Effective 05/06/26)** take effect on May 6, 2026~~{:}~~.

591 ~~{(a) {Section 78A-9a-101 (Effective 05/06/26);}}~~

592 ~~{(b) {Section 78A-9a-102 (Effective 05/06/26); and}}~~

593 ~~{(c) {Section 78A-9a-103 (Effective 05/06/26).}}~~

2-28-26 10:26 PM