

State Collections and Housing Court Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kirk A. Cullimore

House Sponsor:

LONG TITLE**General Description:**

This bill creates the Collections and Housing Court.

Highlighted Provisions:

This bill:

- establishes the Collections and Housing Court (court);
- addresses the postjudgment interest rate of the court;
- addresses retention elections for judges of the court, including the ballot language for a retention election;
- adds a judge of the court to the definition of "public official" with respect to gifts;
- addresses the salary of the judge of the court;
- establishes the court as a court of record;
- provides that the court is not geographically divided into districts;
- provides that the court consists of one judge;
- amends the membership of the Judicial Council to include a member of the court;
- allows the presiding officer of the Judicial Council to assign a judge of the court to serve in the district court if the assignment does not interfere with actions before the Collections and Housing Court;
- amends provisions regarding the administration of the courts to address the creation of the court;
- addresses a judicial hiring freeze for judges of the court;
- amends the jurisdiction of the district court to allow a district court judge to preside over an action of the court for purposes of disqualification and recusal;
- defines terms related to the court;
- provides that the court is a trial court with statewide jurisdiction;
- addresses the organization and status of the court;
- addresses the jurisdiction of the court;
- addresses the administration of the court, including:

- the terms for judges of the court;
- the presiding judge and associate presiding judge of the court; and
- staff and management of the court;
- addresses the location and facilities of the court;
- addresses the selection process for judges of the court, including the creation of the Collections and Housing Court Nominating Commission;
- makes changes to provisions regarding judgments, mileage, and lis pendens to address the creation of the court; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:**AMENDS:**

- 15-1-4**, as last amended by Laws of Utah 2023, Chapter 394
- 20A-12-201**, as last amended by Laws of Utah 2025, Chapter 39
- 63G-23-102**, as last amended by Laws of Utah 2024, Chapter 158
- 67-8-2**, as last amended by Laws of Utah 2023, Chapter 394
- 78A-1-101**, as last amended by Laws of Utah 2023, Chapter 394
- 78A-1-102**, as last amended by Laws of Utah 2023, Chapter 394
- 78A-2-104**, as last amended by Laws of Utah 2023, Chapter 394
- 78A-2-107**, as last amended by Laws of Utah 2023, Chapter 394
- 78A-2-108**, as last amended by Laws of Utah 2023, Chapter 394
- 78A-2-110**, as last amended by Laws of Utah 2023, Chapter 394
- 78A-2-113**, as last amended by Laws of Utah 2023, Chapter 394
- 78A-5-102**, as last amended by Laws of Utah 2025, Chapter 426
- 78A-10a-203**, as enacted by Laws of Utah 2023, Chapter 250 and last amended by Coordination Clause, Laws of Utah 2023, Chapter 250
- 78A-11-102**, as last amended by Laws of Utah 2023, Chapter 394
- 78B-3a-102**, as enacted by Laws of Utah 2023, Chapter 401
- 78B-5-202**, as last amended by Laws of Utah 2025, First Special Session, Chapter 17
- 78B-5-206**, as last amended by Laws of Utah 2023, Chapter 401
- 78B-6-1303**, as last amended by Laws of Utah 2023, Chapter 401

ENACTS:

78A-1-103.7, Utah Code Annotated 1953
78A-5b-101, Utah Code Annotated 1953
78A-5b-102, Utah Code Annotated 1953
78A-5b-103, Utah Code Annotated 1953
78A-5b-104, Utah Code Annotated 1953
78A-5b-105, Utah Code Annotated 1953
78A-5b-201, Utah Code Annotated 1953
78A-5b-202, Utah Code Annotated 1953
78A-5b-203, Utah Code Annotated 1953
78A-5b-204, Utah Code Annotated 1953
78A-5b-205, Utah Code Annotated 1953
78A-10a-601, Utah Code Annotated 1953
78A-10a-602, Utah Code Annotated 1953
78A-10a-603, Utah Code Annotated 1953
78A-10a-604, Utah Code Annotated 1953
78A-10a-605, Utah Code Annotated 1953

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

Section 1. Section **15-1-4** is amended to read:

15-1-4 . Interest on judgments.

(1) As used in this section[, "federal"] :

(a) "Court" means the district court, the justice court, the Business and Chancery Court, or the Collections and Housing Court.

(b) "Federal postjudgment interest rate" means the interest rate established for the federal court system under 28 U.S.C. Sec. 1961, as amended.

(2)(a) Except as provided in Subsection (2)(b), a judgment rendered on a lawful contract shall conform to the contract and shall bear the interest agreed upon by the parties, which shall be specified in the judgment.

(b) A judgment rendered on a deferred deposit loan subject to Title 7, Chapter 23, Check Cashing and Deferred Deposit Lending Registration Act, shall bear interest at the rate imposed under Subsection (3)(a) on an amount not exceeding the sum of:

(i) the total of the principal balance of the deferred deposit loan;

(ii) interest at the rate imposed by the deferred deposit loan agreement for a period

- 99 not exceeding 10 weeks as provided in Subsection 7-23-401(4);
- 100 (iii) costs;
- 101 (iv) attorney fees; and
- 102 (v) other amounts allowed by law and ordered by the court.
- 103 (3)(a) Except as otherwise provided by law, or as governed by Subsection (4), all other
- 104 final civil and criminal judgments of [~~the district court, the justice court, and the~~
- 105 ~~Business and Chancery Court~~] a court shall bear interest at the federal postjudgment
- 106 interest rate as of January 1 of each year, plus 2%.
- 107 (b) The [~~postjudgment interest rate~~] interest rate described in Subsection (3)(a) that is in
- 108 effect at the time of the judgment shall remain the interest rate for the duration of the
- 109 judgment.
- 110 (c) The interest on criminal judgments shall be calculated on the total amount of the
- 111 judgment.
- 112 (d) Interest paid on state revenue shall be deposited in accordance with Section
- 113 63A-3-505.
- 114 (e) Interest paid on revenue to a county or municipality shall be paid to the general fund
- 115 of the county or municipality.
- 116 (4) A judgment under \$10,000 in an action regarding the purchase of goods and services
- 117 shall bear interest from the date on which the [~~district court, the justice court, or the~~
- 118 ~~Business and Chancery Court~~] court enters the judgment at 10% plus the federal
- 119 postjudgment interest rate in effect on January 1 of the year in which the judgment is
- 120 entered.

121 Section 2. Section **20A-12-201** is amended to read:

122 **20A-12-201 . Judicial appointees -- Retention elections.**

- 123 (1)(a) Each judicial appointee to a court is subject to an unopposed retention election at
- 124 the first general election held more than three years after the judge or justice was
- 125 appointed.
- 126 (b) After the first retention election:
- 127 (i) each Supreme Court justice shall be on the regular general election ballot for an
- 128 unopposed retention election every tenth year; and
- 129 (ii) each judge of other courts shall be on the regular general election ballot for an
- 130 unopposed retention election every sixth year.
- 131 (2)(a) Each justice or judge of a court of record who wishes to retain office shall, in the
- 132 year the justice or judge is subject to a retention election:

- 133 (i) file a declaration of candidacy with the lieutenant governor, or with the county
134 clerk in the candidate's county of residence, within the period beginning on July 1
135 and ending at 5 p.m. on July 15 in the year of a regular general election; and
136 (ii) pay a filing fee of \$50.
- 137 (b)(i) Each justice court judge who wishes to retain office shall, in the year the justice
138 court judge is subject to a retention election:
- 139 (A) file a declaration of candidacy with the lieutenant governor, or with the county
140 clerk in the candidate's county of residence, within the period beginning on
141 July 1 and ending at 5 p.m. on July 15 in the year of a regular general election;
142 and
143 (B) pay a filing fee of \$25 for each judicial office.
- 144 (ii) If a justice court judge is appointed or elected to more than one judicial office, the
145 declaration of candidacy shall identify all of the courts included in the same
146 general election.
- 147 (iii) If a justice court judge is appointed or elected to more than one judicial office,
148 filing a declaration of candidacy in one county in which one of those courts is
149 located is valid for the courts in any other county.
- 150 (3)(a) The lieutenant governor shall, no later than August 31 of each regular general
151 election year:
- 152 (i) transmit a certified list containing the names of the justices of the Supreme Court,
153 judges of the Court of Appeals, ~~and~~ judges of the Business and Chancery Court,
154 and judges of the Collections and Housing Court declaring their candidacy to the
155 county clerk of each county; and
- 156 (ii) transmit a certified list containing the names of judges of other courts declaring
157 their candidacy to the county clerk of each county in the geographic division in
158 which the judge filing the declaration holds office.
- 159 (b) Each county clerk shall place the names of justices and judges standing for retention
160 election:
- 161 (i) in the nonpartisan section of the ballot; and
162 (ii) in accordance with Section 20A-6-109.
- 163 (4)(a) At the general election, the ballots shall contain:
- 164 (i) at the beginning of the judicial retention section of the ballot, the following statement:
165 "Visit judges.utah.gov to learn about the Judicial Performance Evaluation Commission's
166 recommendations for each judge"; and

(ii) for each justice or judge standing for a retention election in the county, the following question: "Shall [insert name of justice or judge] be retained in the office of [insert name of office and the applicable court or jurisdiction]? Yes () or No ()."

[(ii) as to each justice or judge of any court to be voted on in the county, the following question:

"Shall _____ (name of justice or judge) be retained in the office of _____? (name of office, such as "Justice of the Supreme Court of Utah"; "Judge of the Court of Appeals of Utah"; "Judge of the Business and Chancery Court of Utah"; "Judge of the District Court of the Third Judicial District"; "Judge of the Juvenile Court of the Fourth Juvenile Court District"; "Justice Court Judge of (name of county) County or (name of municipality)")

~~Yes ()~~

~~No ()."~~

(b) If a justice court exists by means of an interlocal agreement under Section 78A-7-102, the ballot question for the judge shall include the name of that court.

(5)(a) If the justice or judge receives more yes votes than no votes, the justice or judge is retained for the term of office provided by law.

(b) If the justice or judge does not receive more yes votes than no votes, the justice or judge is not retained, and a vacancy exists in the office on the first Monday in January after the regular general election.

(6) A justice or judge not retained is ineligible for appointment to the office for which the justice or judge was defeated until after the expiration of that term of office.

(7)(a) If a justice court judge is standing for retention for one or more judicial offices in a county in which the judge is a county justice court judge or a municipal justice court judge in a town or municipality of the fourth or fifth class, as described in Section 10-2-301, or any combination thereof, the election officer shall place the judge's name on the county ballot only once for all judicial offices for which the judge seeks to be retained.

(b) If a justice court judge is standing for retention for one or more judicial offices in a municipality of the first, second, or third class, as described in Section 10-2-301, the election officer shall place the judge's name only on the municipal ballot for the voters of the municipality that the judge serves.

Section 3. Section **63G-23-102** is amended to read:

63G-23-102 . Definitions.

As used in this chapter:

- (1) "Public official" means, except as provided in Subsection (3), the same as that term is defined in Section 36-11-102.
- (2) "Public official" includes a judge or justice of:
 - (a) the Utah Supreme Court;
 - (b) the Utah Court of Appeals;
 - (c) a district court;
 - (d) a juvenile court;~~[-or]~~
 - (e) the Business and Chancery Court~~[-]~~ ; or
 - (f) the Collections and Housing Court.
- (3) "Public official" does not include a local official or an education official as defined in Section 36-11-102.

Section 4. Section **67-8-2** is amended to read:

67-8-2 . Salaries of judges established annually in appropriations act -- Bases of salaries -- Additional compensation.

- (1) The salaries of judges of courts of record, as described in Section 78A-1-101, shall be set annually by the Legislature in an appropriations act.
- (2) Judicial salaries shall be based on the following percentages of the salary of a district court judge:

(a) juvenile court judges:	100%;
(b) Business and Chancery Court judges:	100%;
(c) <u>Collections and Housing Court judges:</u>	<u>100%;</u>
[(e)] (d) Court of Appeals judges:	105%; and
[(d)] (e) justices of the Supreme Court:	110%.
- (3)(a) A salary described in Subsection (2) does not include additional compensation provided for a presiding judge or associate presiding judge under:
 - (i) Section 78A-3-101;
 - (ii) Section 78A-4-102;
 - (iii) Section 78A-5-106;
 - (iv) Section 78A-5a-202;
 - (v) Section 78A-5b-202; or
 - ~~[(v)]~~ (vi) Section 78A-6-203.
- (b) Compensation described in Subsection (3)(a) does not constitute a salary for

purposes of Utah Constitution, Article VIII, Section 14.

Section 5. Section **78A-1-101** is amended to read:

78A-1-101 . Courts of this state -- Courts of record.

(1) The following are the courts of this state:

- (a) the Supreme Court;
- (b) the Court of Appeals;
- (c) the Business and Chancery Court;
- (d) the Collections and Housing Court;
- ~~[(d)]~~ (e) the district courts;
- ~~[(e)]~~ (f) the juvenile courts; and
- ~~[(f)]~~ (g) the justice courts.

(2) All courts are courts of record, except the justice courts, which are courts not of record.

Section 6. Section **78A-1-102** is amended to read:

78A-1-102 . Trial courts of record -- Geographical divisions.

(1) The district and juvenile courts are divided into eight geographical divisions:

- (a) First Judicial District, which includes Box Elder, Cache, and Rich Counties;
- (b) Second Judicial District, which includes Weber, Davis, and Morgan Counties;
- (c) Third Judicial District, which includes Salt Lake, Summit, and Tooele Counties;
- (d) Fourth Judicial District, which includes Utah, Wasatch, Juab, and Millard Counties;
- (e) Fifth Judicial District, which includes Beaver, Iron, and Washington Counties;
- (f) Sixth Judicial District, which includes Garfield, Kane, Piute, Sanpete, Sevier, and Wayne Counties;
- (g) Seventh Judicial District, which includes Carbon, Emery, Grand, and San Juan Counties; and
- (h) Eighth Judicial District, which includes Daggett, Duchesne, and Uintah Counties.

(2) The Business and Chancery Court [is] and the Collections and Housing Court are not divided into geographical divisions.

Section 7. Section **78A-1-103.7** is enacted to read:

78A-1-103.7 . Number of Collections and Housing Court judges --

Disqualification or recusal of a Collections and Housing Court judge.

(1) The Collections and Housing Court shall consist of one judge.

(2) If there are fewer than three judges for the Collections and Housing Court under Subsection (1), the presiding officer of the Judicial Council shall designate a pool of two district court judges to preside over actions in the Collections and Housing Court.

(3) A district court judge designated under Subsection (2) may preside over an action when each Collections and Housing Court judge is unable to preside over an action due to recusal or disqualification.

Section 8. Section **78A-2-104** is amended to read:

78A-2-104 . Judicial Council -- Creation -- Members -- Terms and election -- Responsibilities -- Reports -- Guardian Ad Litem Oversight Committee.

(1) The Judicial Council is composed of:

- (a) the chief justice of the Supreme Court;
- (b) one member elected by the justices of the Supreme Court;
- (c) one member elected by the judges of the Court of Appeals;
- (d) one member elected by the judges of the Business and Chancery Court;
- (e) one member elected by the judges of the Collections and Housing Court;
- ~~[(e)]~~ (f) six members elected by the judges of the district courts;
- ~~[(f)]~~ (g) three members elected by the judges of the juvenile courts;
- ~~[(g)]~~ (h) three members elected by the justice court judges; and
- ~~[(h)]~~ (i) a member or ex officio member of the Board of Commissioners of the Utah State Bar who is an active member of the Utah State Bar in good standing at the time of election by the Board of Commissioners.

(2) The Judicial Council shall have a seal.

(3)(a) The chief justice of the Supreme Court shall act as presiding officer of the Judicial Council and chief administrative officer for the courts.

(b) The chief justice shall vote only in the case of a tie.

(4)(a) All members of the Judicial Council shall serve for three-year terms.

(b) If a Judicial Council member should die, resign, retire, or otherwise fail to complete a term of office, the appropriate constituent group shall elect a member to complete the term of office.

(c) In courts having more than one member, the members shall be elected to staggered terms.

(d) The individual elected by the Board of Commissioners under Subsection ~~[(1)(h)]~~ (1)(i) may complete a three-year term of office on the Judicial Council even though the individual ceases to be a member or ex officio member of the Board of Commissioners.

(e) The individual elected by the Board of Commissioners under Subsection ~~[(1)(h)]~~ (1)(i) shall be an active member of the Utah State Bar in good standing for the entire term

of the Judicial Council.

(f) Elections are held under rules made by the Judicial Council.

(5)(a) The Judicial Council is responsible for the development of uniform administrative policy for the courts throughout the state.

(b) The presiding officer of the Judicial Council is responsible for the implementation of the policies developed by the Judicial Council and for the general management of the courts, with the aid of the state court administrator.

(c) The Judicial Council has authority and responsibility to:

(i) establish and assure compliance with policies for the operation of the courts, including uniform rules and forms; and

(ii) publish and submit to the governor, the chief justice of the Supreme Court, and the Legislature an annual report of the operations of the courts, which shall include financial and statistical data and may include suggestions and recommendations for legislation.

(6) The Judicial Council shall establish standards for the operation of the courts of the state, including facilities, court security, support services, and staff levels for judicial and support personnel.

(7) The Judicial Council shall by rule:

(a) establish the time and manner for destroying court records, including computer records; and

(b) establish retention periods for court records.

(8)(a) Consistent with the requirements of judicial office and security policies, the Judicial Council shall establish procedures to govern the assignment of state vehicles to public officers of the judicial branch.

(b) The vehicles shall be marked in a manner consistent with Section 41-1a-407 and may be assigned for unlimited use, within the state only.

(9)(a) The Judicial Council shall:

(i) advise judicial officers and employees concerning ethical issues; and

(ii) establish procedures for issuing informal and formal advisory opinions on ethical issues.

(b) Compliance with an informal opinion is evidence of good faith compliance with the Code of Judicial Conduct.

(c) A formal opinion constitutes a binding interpretation of the Code of Judicial Conduct.

(10)(a) The Judicial Council shall establish written procedures authorizing the presiding

officer of the Judicial Council to appoint~~[judges of courts of record]~~ :

(i) a judge of a court of record by special or general assignment to serve temporarily in another level of court in a specific court or generally within that level~~[-]~~ ; and

(ii) a judge of the Collections and Housing Court to serve in the district court to the extent that the assignment does not interfere with actions before the Collections and Housing Court.

(b) The appointment under Subsection (10)(a) shall be:

(i) for a specific period of time; and

(ii) reported to the Judicial Council.

(c) The Judicial Council shall develop the procedures described in this Subsection (10) in accordance with Subsection 78A-2-107(2) regarding the temporary appointment of judges.

(11)(a) The Judicial Council may by rule designate municipalities in addition to those designated by statute as a location of a trial court of record.

(b) There shall be at least one court clerk's office open during regular court hours in each county.

(c) Any trial court of record may hold court in any municipality designated as a location of a court of record.

(12) The Judicial Council shall by rule determine whether the administration of a court is the obligation of the Administrative Office of the Courts or whether the Administrative Office of the Courts should contract with local government for court support services.

(13) The Judicial Council may by rule direct that a district court location be administered from another court location within the county.

(14)(a) The Judicial Council shall:

(i) establish the Office of Guardian Ad Litem in accordance with Title 78A, Chapter 2, Part 8, Guardian Ad Litem; and

(ii) establish and supervise a Guardian Ad Litem Oversight Committee.

(b) The Guardian Ad Litem Oversight Committee described in Subsection (14)(a)(ii) shall oversee the Office of Guardian Ad Litem, established under Subsection (14)(a)(i), and assure that the Office of Guardian Ad Litem complies with state and federal law, regulation, policy, and court rules.

(15) The Judicial Council shall establish and maintain, in cooperation with the Office of Recovery Services within the Department of Health and Human Services, the part of the state case registry that contains records of each support order established or modified in

the state on or after October 1, 1998, as is necessary to comply with the Social Security Act, 42 U.S.C. Sec. 654a.

Section 9. Section **78A-2-107** is amended to read:

78A-2-107 . Court administrator -- Powers, duties, and responsibilities.

Under the general supervision of the presiding officer of the Judicial Council, and within the policies established by the[-the] Judicial Council:

(1) the state court administrator shall:

- (a) organize and administer all of the nonjudicial activities of the courts;
- (b) assign, supervise, and direct the work of the nonjudicial officers of the courts;
- (c) implement the standards, policies, and rules established by the Judicial Council;
- (d) formulate and administer a system of personnel administration, including in-service training programs;
- (e) prepare and administer the state judicial budget, fiscal, accounting, and procurement activities for the operation of the courts of record;
- (f) assist justice courts in budgetary, fiscal, and accounting procedures;
- (g) conduct studies of the business of the courts, including the preparation of recommendations and reports relating to the studies;
- (h) develop uniform procedures for the management of court business, including the management of court calendars;
- (i) maintain liaison with the governmental and other public and private groups having an interest in the administration of the courts;
- (j) establish uniform policy concerning vacations and sick leave for judges and nonjudicial officers of the courts;
- (k) establish uniform hours for court sessions throughout the state;
- (l) when necessary for administrative reasons, change the county for trial of any case if no party to the litigation files timely objections to this change;
- (m)(i) organize and administer a program of continuing education for judges and support staff, including training for justice court judges; and
- (ii) ensure that any training or continuing education described in Subsection (1)(m)(i) complies with Title 63G, Chapter 22, State Training and Certification Requirements;
- (n) provide for an annual meeting for each level of the courts of record and the annual judicial conference; and
- (o) perform other duties as assigned by the presiding officer of the Judicial Council; and

- (2) with the consent of the presiding officer of the Judicial Council, the state court administrator may:
- (a) call and appoint a justice or judge of a court of record to serve temporarily as a judge of the Court of Appeals, the Business and Chancery Court, the Collections and Housing Court, a district court, or a juvenile court; and
 - (b) set reasonable compensation for the service of a justice or judge under Subsection (2)(a).

Section 10. Section **78A-2-108** is amended to read:

78A-2-108 . Assistants for state court administrator -- Appointment of trial court executives.

- (1) The state court administrator, with the approval of the presiding officer of the Judicial Council, is responsible for the establishment of positions and salaries of assistants as necessary to enable the state court administrator to perform the powers and duties vested in the state court administrator by this chapter, including the positions of appellate court administrator, business and chancery court administrator, collections and housing court administrator, district court administrator, juvenile court administrator, and justice court administrator.
- (2) The state court administrator shall appoint an appellate court administrator, a business and chancery court administrator, a collections and housing court administrator, a district court administrator, a juvenile court administrator, and a justice court administrator with the concurrence of the respective boards as established by the Judicial Council.
- (3)(a) The district court administrator, with the concurrence of the presiding judge of a district or the district court judge in single judge districts, may appoint a trial court executive in each district.
- (b) The trial court executive may appoint, subject to budget limitations, necessary support personnel including clerks, research clerks, secretaries, and other persons required to carry out the work of the court.
- (c) The trial court executive shall supervise the work of all nonjudicial court staff and serve as administrative officer of the district.
- (4) Administrators and assistants appointed under this section are known collectively as the Administrative Office of the Courts.

Section 11. Section **78A-2-110** is amended to read:

78A-2-110 . Databases for judicial boards.

- (1) As used in this section, "judicial board" means any judicial branch board, commission, council, committee, working group, task force, study group, advisory group, or other body with a defined limited membership that is created to operate for more than six months by:
- (a) the constitution;
 - (b) statute;
 - (c) judicial order;
 - (d) any justice or judge;
 - (e) the Judicial Council;
 - (f) the state court administrator, a district court administrator, a trial court executive, [or] a business and chancery court administrator, a collections and housing court administrator; or
 - (g) any clerk or administrator in the judicial branch of state government.
- (2) The Judicial Council shall designate an individual from the Judicial Council's staff to maintain a computerized database containing information about all judicial boards.
- (3) The individual designated to maintain the database shall:
- (a) ensure that the database contains:
 - (i) the name of the judicial board;
 - (ii) the statutory or constitutional authority for the creation of the judicial board;
 - (iii) the court or other judicial entity under whose jurisdiction the judicial board operates or with which the judicial board is affiliated, if any;
 - (iv) the name, address, gender, telephone number, and county of each individual currently serving on the judicial board, along with a notation of all vacant or unfilled positions;
 - (v) the title of the position held by the individual who appointed each member of the judicial board;
 - (vi) the length of the term to which each member of the judicial board was appointed and the month and year that each judicial board member's term expires;
 - (vii) the organization, interest group, profession, local government entity, or geographic area that the member of the judicial board represents, if any;
 - (viii) whether or not the judicial board allocates state or federal funds and the amount of those funds allocated during the last fiscal year;
 - (ix) whether the judicial board is a policy board or an advisory board;
 - (x) whether or not the judicial board has or exercises rulemaking authority; and

- 473 (xi) any compensation and expense reimbursement that members of the executive
474 board are authorized to receive;
- 475 (b) make the information contained in the database available to the public upon request;
- 476 (c) cooperate with other entities of state government to publish the data or useful
477 summaries of the data;
- 478 (d) prepare, publish, and distribute an annual report by April 1 of each year that
479 includes, as of March 1 of that year:
- 480 (i) the total number of judicial boards;
- 481 (ii) the name of each of those judicial boards and the court, council, administrator,
482 executive, or clerk under whose jurisdiction the executive board operates or with
483 which the judicial board is affiliated, if any;
- 484 (iii) for each court, council, administrator, executive, or clerk, the total number of
485 judicial boards under the jurisdiction of or affiliated with that court, council,
486 administrator, executive, or clerk;
- 487 (iv) the total number of members for each of those judicial boards;
- 488 (v) whether each board is a policymaking board or an advisory board and the total
489 number of policy boards and the total number of advisory boards; and
- 490 (vi) the compensation, if any, paid to the members of each of those judicial boards;
491 and
- 492 (e) distribute copies of the report described in Subsection (3)(d) to:
- 493 (i) the chief justice of the Utah Supreme Court;
- 494 (ii) the state court administrator;
- 495 (iii) the governor;
- 496 (iv) the president of the Utah Senate;
- 497 (v) the speaker of the Utah House;
- 498 (vi) the Office of Legislative Research and General Counsel; and
- 499 (vii) any other persons who request a copy of the annual report.

500 Section 12. Section **78A-2-113** is amended to read:

501 **78A-2-113 . Judicial hiring freeze authorized.**

- 502 (1) As used in this section, "General Fund budget deficit" means a situation where General
503 Fund appropriations made by the Legislature for a fiscal year exceed the estimated
504 revenues adopted by the Executive Appropriations Committee of the Legislature for the
505 General Fund in that fiscal year.
- 506 (2) During a General Fund budget deficit, the governor, president of the Senate, speaker of

the House, and chief justice of the Supreme Court, may, by unanimous vote, implement a judicial hiring freeze for judicial vacancies for:

(a) a juvenile court district with three or more juvenile court judges;

(b) a district court district with three or more district court judges;

(c) all Business and Chancery Court judges;

(d) all Collections and Housing Court judges;

~~[(d)]~~ (e) all appellate court judges; or

~~[(e)]~~ (f) any combination of Subsections (2)(a) through ~~[(d)]~~ (e).

(3) In implementing a judicial hiring freeze, the governor, president of the Senate, speaker of the House, and chief justice of the Supreme Court shall:

(a) establish the length of that hiring freeze; and

(b) ensure that the hiring freeze lasts at least 90 days, but not longer than the last day of the annual general session of the Legislature.

Section 13. Section **78A-5-102** is amended to read:

78A-5-102 . Jurisdiction of the district court -- Appeals.

(1) Except as otherwise provided by the Utah Constitution or by statute, the district court has original jurisdiction in all matters civil and criminal.

(2) A district court judge may:

(a) issue all extraordinary writs and other writs necessary to carry into effect the district court judge's orders, judgments, and decrees; and

(b) preside over an action for which the Business and Chancery Court or Collections and Housing Court has jurisdiction if:

(i) the district court judge is designated by the presiding officer of the Judicial

Council to preside over an action in the Business and Chancery Court as described

in Section 78A-1-103.5 or the Collections and Housing Court as described in

Section 78A-1-103.7; and

(ii) a Business and Chancery Court judge or a Collections and Housing Court judge is unable to preside over the action due to recusal or disqualification.

(3) The district court has jurisdiction:

(a) over matters of lawyer discipline consistent with the rules of the Supreme Court;

(b) over all matters properly filed in the circuit court prior to July 1, 1996;

(c) to enforce foreign protective orders as described in Subsection 78B-7-303(8);

(d) to enjoin a violation of Title 58, Chapter 37, Utah Controlled Substances Act;

(e) over a petition seeking to terminate parental rights as described in Section 81-13-205;

(f) except as provided in Subsection 78A-6-103(2)(a)(xiv) or (xv), over an adoption proceeding; and

(g) to issue a declaratory judgment as described in Title 78B, Chapter 6, Part 4, Declaratory Judgments.

(4) The district court has appellate jurisdiction over judgments and orders of the justice court as outlined in Section 78A-7-118 and small claims appeals filed in accordance with Section 78A-8-106.

(5) The district court has jurisdiction to review:

(a) a municipal administrative proceeding as described in Section 10-3-703.7;

(b) a decision resulting from a formal adjudicative proceeding by the State Tax Commission as described in Section 59-1-601;

(c) except as provided in Section 63G-4-402, a final agency action resulting from an informal adjudicative proceeding as described in Title 63G, Chapter 4, Administrative Procedures Act; and

(d) by trial de novo, a final order of the Department of Transportation resulting from formal and informal adjudicative proceedings under Title 72, Chapter 7, Part 2, Junkyard Control Act.

(6) The district court has original and exclusive jurisdiction over an action brought under Title 63G, Chapter 7, Governmental Immunity Act of Utah.

(7) The district court has exclusive jurisdiction to modify a juvenile court's permanent custody and guardianship order as described in Subsection 78A-6-357(3)(e)(ii).

(8) Notwithstanding Section 78A-7-106, the district court has original jurisdiction over a class B misdemeanor, a class C misdemeanor, an infraction, or a violation of an ordinance for which a justice court has original jurisdiction under Section 78A-7-106 if:

(a) there is no justice court with territorial jurisdiction;

(b) the offense occurred within the boundaries of the municipality in which the district courthouse is located and that municipality has not formed, or has formed and dissolved, a justice court; or

(c) the offense is included in an indictment or information covering a single criminal episode alleging the commission of a felony or a class A misdemeanor by an individual who is 18 years old or older.

(9) If a district court has jurisdiction in accordance with Subsection (4), (8)(a), or (8)(b), the district court has jurisdiction over an offense listed in Subsection 78A-7-106(2) even if the offense is committed by an individual who is 16 or 17 years old.

- (10) The district court has subject matter jurisdiction over an action under Title 78B, Chapter 7, Part 2, Child Protective Orders, if the juvenile court transfers the action to the district court.
- (11)(a) The district court has subject matter jurisdiction over a criminal action that the justice court transfers to the district court.
- (b) Notwithstanding Subsection 78A-7-106(1), the district court has original jurisdiction over any refiled case of a criminal action transferred to the district court if the district court dismissed the transferred case without prejudice.
- (12) If the juvenile court has concurrent jurisdiction under Subsection 78A-6-104(1)(a)(i) over a parentage action filed in the district court, the district court may transfer jurisdiction over the parentage action to the juvenile court.
- (13) The Supreme Court and Court of Appeals have jurisdiction over an appeal from a final order, judgment, and decree of the district court as described in Sections 78A-3-102 and 78A-4-103.

Section 14. Section **78A-5b-101** is enacted to read:

CHAPTER 5b. Collections and Housing Court

Part 1. General Provisions

78A-5b-101 . Definitions for chapter.

As used in this chapter, "Judicial Council" means the same as that term is defined in Section 78A-2-103.

Section 15. Section **78A-5b-102** is enacted to read:

78A-5b-102 . Establishment of the Collections and Housing Court -- **Organization and status.**

- (1) There is established the Collections and Housing Court for the state.
- (2) The Collections and Housing Court is a court of record.
- (3) The Collections and Housing Court is a trial court with limited and statewide jurisdiction over actions and claims as described in Section 78A-5b-103.
- (4) The Collections and Housing Court is of equal status with the district and juvenile courts and the Business and Chancery Court of the state.
- (5) The Collections and Housing Court is established as a forum for the resolution of all matters properly brought before the Collections and Housing Court and consistent with applicable constitutional and statutory requirements of due process.
- (6) The Collections and Housing Court shall have a seal.

(7) The judges and clerks of the Collections and Housing Court have the power to administer oaths and affirmations.

Section 16. Section **78A-5b-103** is enacted to read:

78A-5b-103 . Concurrent jurisdiction of the Collections and Housing Court -- Exceptions.

(1) The Collections and Housing Court has jurisdiction, concurrent with the district court, over a civil action:

(a) for forcible entry and detainer as described in Title 78B, Chapter 6, Part 8, Forcible Entry and Detainer; and

(b) for the recovery of money that does not qualify as a small claims action described in Section 78A-8-102.

(2) A judge of the Collections and Housing Court may preside over an action for which the district court has jurisdiction in accordance with Subsection 78A-2-104(10).

Section 17. Section **78A-5b-104** is enacted to read:

78A-5b-104 . Trier of fact and law -- Jury trial.

(1) Except for matters that are to be determined at trial, the Collections and Housing Court is the trier of fact and law on all issues in an action before the Collections and Housing Court, including a motion for summary judgment or a motion in limine.

(2)(a) Notwithstanding Section 78A-5b-103, the Collections and Housing Court shall transfer an action to the district court if the action is set for trial.

(b) Before the Collections and Housing Court transfers an action to the district court under Subsection (2)(a), the Collections and Housing Court may administrate and adjudicate the action being transferred before a trial, including any pleading, provisional remedy as defined in Section 78A-5a-101, discovery, or motion.

Section 18. Section **78A-5b-105** is enacted to read:

78A-5b-105 . Venue for Collections and Housing Court.

(1) Title 78B, Chapter 3a, Venue for Civil Actions, does not apply to an action brought in the Collections and Housing Court.

(2) Any requirement in the Utah Code to file or bring an action in a specific district or county does not apply to an action brought in the Collections and Housing Court.

Section 19. Section **78A-5b-201** is enacted to read:

Part 2. Administration

78A-5b-201 . Judges of the Collections and Housing Court -- Terms.

(1) A judge of the Collections and Housing Court is appointed to initially serve until the

first general election held more than three years after the day on which the appointment is effective.

(2) After the initial term described in Subsection (1), the term of office of a judge of the Collections and Housing Court is six years and commences on the first Monday in January following the date of election.

(3) A judge of the Collections and Housing Court whose term expires may serve, upon request of the Judicial Council, until a successor is appointed and qualified.

Section 20. Section **78A-5b-202** is enacted to read:

78A-5b-202 .

(1) The judges of the Collections and Housing Court shall elect a presiding judge from among the members of the court by majority vote of all judges.

(2) The presiding judge shall receive \$2,000 per annum as additional compensation for the period served as presiding judge.

(3) The presiding judge has the following authority and responsibilities, consistent with the policies of the Judicial Council:

(a) implementing policies of the Judicial Council; and

(b) exercising powers and performing administrative duties as authorized by the Judicial Council.

(4)(a) If the Collections and Housing Court has more than two judges, the judges of the Collections and Housing Court may elect an associate presiding judge from among the members of the court by majority vote of all judges.

(b) The associate presiding judge shall receive \$1,000 per annum as additional compensation for the period served as associate presiding judge.

(5)(a) When the presiding judge is unavailable, the associate presiding judge shall assume the responsibilities of the presiding judge.

(b) The associate presiding judge shall perform other duties assigned by the presiding judge.

Section 21. Section **78A-5b-203** is enacted to read:

78A-5b-203 . Administrative system -- Case management -- Clerk of the court -- Employees.

(1)(a) There is established the State Collections and Housing Court Administrative System.

(b) The Judicial Council shall administer the operation of the State Collections and Housing Court Administrative System.

- (2) The Collections and Housing Court shall develop a case management system that:
- (a) ensures judicial accountability for the just and timely disposition of cases; and
 - (b) provides each judge of the Collections and Housing Court a full judicial workload that accommodates differences in the subject matter or complexity of cases assigned to different judges of the Collections and Housing Court.
- (3) The clerk of the Collections and Housing Court shall:
- (a) take charge of and safely keep the court seal;
 - (b) take charge of and safely keep or dispose of all books, papers, and records filed or deposited with the clerk and all other records required by law or the rules of the Judicial Council;
 - (c) issue all notices, processes, and summonses as authorized by law;
 - (d) keep a record of all proceedings, actions, orders, judgments, and decrees of the court;
 - (e) supervise the deputy clerks as required to perform the duties of the clerk's office; and
 - (f) perform other duties as required by the presiding judge, the collections and housing court administrator, applicable law, and the rules of the Judicial Council.
- (4) All employees, except judges of the Collections and Housing Court, are selected, promoted, and discharged through the state courts personnel system for the Collections and Housing Court under the direction and rules of the Judicial Council.

Section 22. Section **78A-5b-204** is enacted to read:

78A-5b-204 . Location of the Collections and Housing Court.

- (1) The Collections and Housing Court may perform any of the Collections and Housing Court's functions in any location within the state.
- (2) The Judicial Council shall provide, from appropriations made by the Legislature, court space suitable for the conduct of court business for the Collections and Housing Court.
- (3) In order to carry out the Judicial Council's obligation to provide facilities for the Collections and Housing Court, the Judicial Council may lease space to be used by the Collections and Housing Court.
- (4) A lease or reimbursement for the Collections and Housing Court must comply with the standards of the Division of Facilities Construction and Management that are applicable to state agencies.
- (5) The cost of salaries, travel, and training required for the discharge of the duties of judges, secretaries of judges or court executives, court executives, and court reporters for the Collections and Housing Court are paid from appropriations made by the Legislature.

Section 23. Section **78A-5b-205** is enacted to read:

78A-5b-205 . Court sessions.

The Collections and Housing Court shall:

- (1) hold court regularly; and
- (2) make every effort to hold remote hearings for an action before the Collections and Housing Court.

Section 24. Section **78A-10a-203** is amended to read:

**78A-10a-203 . Procedures for judicial nomination commission -- Meetings --
Certification -- Governor appointment.**

- (1)(a) A commission may:
 - (i) meet as necessary to perform the commission's function; and
 - (ii) investigate the applicants of a judicial vacancy, including seeking input from members and employees of the judiciary and the community.
- (b) A commission may consult with the Judicial Council regarding the applicants for a judicial vacancy.
- (c) A commission is exempt from the requirements of Title 52, Chapter 4, Open and Public Meetings Act.
- (2) In determining which of the applicants are the most qualified, a commission shall determine by a majority vote of the commissioners present which of the applicants best possess the ability, temperament, training, and experience that qualifies an applicant for the office.
- (3)(a) Except as provided under Subsection (3)(b):
 - (i) the appellate court nominating commission shall certify to the governor a list of the seven most qualified applicants per judicial vacancy;
 - (ii) a district and juvenile court nominating commission shall certify to the governor a list of the five most qualified applicants per judicial vacancy;~~[-and]~~
 - (iii) the business and chancery court nominating commission shall certify to the governor a list of the seven most qualified applicants per judicial vacancy~~[-]~~ ; and
 - (iv) the collections and housing court nominating commission shall certify to the governor a list of the seven most qualified applicants per judicial vacancy.
- (b) If a commission is considering applicants for more than one judicial vacancy existing at the same time and for the same court, the commission shall include one additional applicant for each additional judicial vacancy in the court in the list of applicants the commission certifies to the governor.

- (4) A commission shall certify a list to the governor under Subsection (3) no more than 45 days after convening in accordance with Section 78A-10a-202.
- (5) A commission shall, at the time that the commission certifies a list of the most qualified applicants to the governor, submit the same list to the president of the Senate, the Senate minority leader, and the Office of Legislative Research and General Counsel.
- (6) A commission shall ensure that the list of applicants certified to the governor:
- (a) meet the qualifications required by law to fill the office; and
 - (b) are willing to serve.
- (7) In determining which of the applicants are the most qualified, a commission may not decline to certify an applicant's name to the governor because:
- (a) the commission declined to submit that applicant's name to the governor to fill a previous judicial vacancy;
 - (b) a previous commission declined to submit that applicant's name to the governor; or
 - (c) the commission or a previous commission submitted the applicant's name to the governor and the governor selected another individual to fill the judicial vacancy.
- (8) A commission may not certify:
- (a) an applicant who is a justice or judge that was not retained by the voters for the office for which the justice or judge was defeated until after the expiration of that justice's or judge's term of office; and
 - (b) an applicant who has served on a commission within six months after the day on which the commission was last convened.
- (9) The governor shall fill a judicial vacancy within 30 days after the day on which the governor received the list of nominees from the commission.
- (10) If the governor fails to fill a judicial vacancy within 30 days after the day on which the governor received the list of nominees from the commission, the chief justice of the Supreme Court shall, within 20 days, appoint an applicant from the list of nominees certified to the governor by the commission.

Section 25. Section **78A-10a-601** is enacted to read:

Part 6. Collections and Housing Court Nominating Commission

78A-10a-601 . Definitions for part.

As used in this part:

- (1) "Commission" means the Collections and Housing Court Nominating Commission created in Section 78A-10a-602.
- (2) "Commissioner" means an individual appointed by the governor to serve on the

Collections and Housing Court Nominating Commission.

Section 26. Section **78A-10a-602** is enacted to read:

78A-10a-602 . Creation.

- (1) There is created the Collections and Housing Court Nominating Commission.
- (2) The Collections and Housing Court Nominating Commission shall nominate individuals to fill judicial vacancies on the Collections and Housing Court.

Section 27. Section **78A-10a-603** is enacted to read:

78A-10a-603 . Membership -- Appointment -- Vacancies -- Removal.

- (1) The Collections and Housing Court Nominating Commission shall consist of seven commissioners, each appointed by the governor to serve a four-year term.
- (2) A commissioner shall:
- (a) be a United States citizen;
- (b) be a resident of Utah; and
- (c) serve until the commissioner's successor is appointed.
- (3) The governor may not appoint:
- (a) a commissioner to serve successive terms; or
- (b) a member of the Legislature to serve as a member of the commission.
- (4) In determining whether to appoint an individual to serve as a commissioner, the governor shall consider whether the individual's appointment would ensure that the commission selects applicants without any regard to partisan political consideration.
- (5) The governor shall appoint the chair of the commission from among the membership of the commission.
- (6) The governor shall fill any vacancy in the commission caused by the expiration of a commissioner's term.
- (7)(a) If a commissioner is disqualified, removed, or is otherwise unable to serve, the governor shall appoint a replacement commissioner to fill the vacancy for the unexpired term.
- (b) A replacement commissioner appointed under Subsection (7)(a) may not be reappointed upon expiration of the term of service.
- (8) The governor may remove a commissioner from the commission at any time with or without cause.

Section 28. Section **78A-10a-604** is enacted to read:

78A-10a-604 . Procedure -- Staff -- Rules -- Recusal.

- (1) Four commissioners are a quorum.

- (2) The governor shall appoint a member of the governor's staff to serve as staff to the commission.
- (3) The governor shall:
- (a) ensure that the commission follows the rules enacted by the State Commission on Criminal and Juvenile Justice under Section 78A-10a-201; and
- (b) resolve any questions regarding the rules described in Subsection (3)(a).
- (4) A commissioner who is a licensed attorney may recuse oneself if there is a conflict of interest that makes the commissioner unable to serve.

Section 29. Section **78A-10a-605** is enacted to read:

78A-10a-605 . Expenses -- Per diem and travel.

A commissioner may not receive compensation or benefits for the commissioner's service but may receive per diem and travel expenses in accordance with:

- (1) Section 63A-3-106;
- (2) Section 63A-3-107; and
- (3) rules made by the Division of Finance in accordance with Sections 63A-3-106 and 63A-3-107.

Section 30. Section **78A-11-102** is amended to read:

78A-11-102 . Definitions.

As used in this chapter:

- (1) "Commission" means the Judicial Conduct Commission established by Utah Constitution Article VIII, Section 13, and this chapter.
- (2)(a) "Complaint" includes:
- (i) a written complaint against a judge; or
- (ii) an allegation based on reliable information received in any form, from any source, that alleges, or from which a reasonable inference can be drawn that a judge is in violation of any provision of Utah Constitution Article VIII, Section 13.
- (b) "Complaint" does not include an allegation initiated by the commission or its staff.
- (3) "Investigation" means an inquiry into an allegation of misconduct, including a search for and examination of evidence concerning the allegations, which begins upon the receipt of a complaint and is completed when either the complaint is dismissed by a majority vote of the commission or when an order is sent to the Supreme Court for its review in accordance with Utah Constitution Article VIII, Section 13.
- (4) "Judge" includes:
- (a) the chief justice of the Supreme Court[;] ;

- (b) a justice of the Supreme Court[;] ;
(c) a judge of the Court of Appeals[;] ;
(d) a judge of the Business and Chancery Court[;] ;
(e) a judge of the Collections and Housing Court;
(f) a district court judge[;] ;
(g) an active senior judge[;] ;
(h) a juvenile court judge[;] ;
(i) a justice court judge[;] ;
(j) an active senior justice court judge[;] ; and
(k) a judge pro tempore of any court of this state.

Section 31. Section **78B-3a-102** is amended to read:

78B-3a-102 . Applicability of this chapter.

- (1) Except as otherwise provided by another provision of the Utah Code, a plaintiff shall bring an action in accordance with the requirements of this chapter.
(2) The requirements of this chapter do not apply to an action brought in:
(a) the Business and Chancery Court[;] ; or
(b) the Collections and Housing Court.

Section 32. Section **78B-5-202** is amended to read:

78B-5-202 . Duration of judgment -- Judgment as a lien upon real property -- Abstract of judgment -- Small claims judgment not a lien -- Appeal of judgment -- Child support orders.

- (1)(a) Judgments shall continue for eight years from the date of entry in a court unless previously satisfied, renewed, or unless enforcement of the judgment is stayed in accordance with law.
(b) Entry of an order renewing a judgment:
(i) maintains the date of the original judgment;
(ii) maintains the priority of collection of the judgment; and
(iii) except as explicitly provided otherwise by law or contract, begins anew the time limitation for an action upon the judgment.
(2) Before July 1, 1997, except as limited by Subsections (4) and (5), the entry of judgment by a district court creates a lien upon the real property of the judgment debtor, not exempt from execution, owned or acquired during the existence of the judgment, located in the county in which the judgment is entered.
(3) An abstract of judgment issued by the court in which the judgment is entered may be

880 filed in any court of this state and shall have the same force and effect as a judgment
881 entered in that court.

882 (4) Before July 1, 1997, and after May 15, 1998, a judgment entered in a small claims
883 action may not qualify as a lien upon real property unless abstracted to the district court
884 and recorded in accordance with Subsection (3).

885 (5)(a) If any judgment is appealed, upon deposit with the court where the notice of
886 appeal is filed of cash or other security in a form and amount considered sufficient by
887 the court that rendered the judgment to secure the full amount of the judgment,
888 together with ongoing interest and any other anticipated damages or costs, including
889 attorney fees and costs on appeal, the lien created by the judgment shall be
890 terminated as provided in Subsection (5)(b).

891 (b) Upon the deposit of sufficient security as provided in Subsection (5)(a), the court
892 shall enter an order terminating the lien created by the judgment and granting the
893 judgment creditor a perfected lien in the deposited security as of the date of the
894 original judgment.

895 (6)(a) A child support order, including an order or judgment for guardian ad litem
896 attorney fees and costs, or a sum certain judgment for past due support may be
897 enforced:

898 (i) within four years after the date the youngest child reaches majority; or

899 (ii) eight years from the date of entry of the sum certain judgment entered by a
900 tribunal.

901 (b) The longer period of duration shall apply in every order.

902 (c) A sum certain judgment may be renewed to extend the duration.

903 (7)(a) After July 1, 2002, a judgment entered by a district court, a justice court, ~~[or]~~the
904 Business and Chancery Court, or the Collections and Housing Court, becomes a lien
905 upon real property if:

906 (i) the judgment or an abstract of the judgment containing the information identifying
907 the judgment debtor as described in Subsection 78B-5-201(4)(b) is recorded in the
908 office of the county recorder; or

909 (ii) the judgment or an abstract of the judgment and a separate information statement
910 of the judgment creditor as described in Subsection 78B-5-201(5) is recorded in
911 the office of the county recorder.

912 (b) The judgment shall run from the date of entry by the court.

913 (c) The real property subject to the lien includes all the real property of the judgment

debtor:

- (i) in the county in which the recording under Subsection (7)(a)(i) or (ii) occurs; and
- (ii) owned or acquired at any time by the judgment debtor during the time the judgment is effective.

(d) If the judgment that gives rise to a lien described in Subsection (7)(a) is a judgment in favor of a state agency, the real property subject to the lien includes all real property of the judgment debtor in the state.

(e) State agencies are exempt from the recording requirement of Subsection (7)(a).

(8)(a) A judgment referred to in Subsection (7) shall be entered under the name of the judgment debtor in the judgment index in the office of the county recorder as required in Section 17-71-302.

(b) A judgment containing a legal description shall also be abstracted in the appropriate tract index in the office of the county recorder.

(9)(a) To release, assign, renew, or extend a lien created by a judgment recorded in the office of a county recorder, a person shall, in the office of the county recorder of each county in which an instrument creating the lien is recorded, record a document releasing, assigning, renewing, or extending the lien.

(b) The document described in Subsection (9)(a) shall include:

- (i) the date of the release, assignment, renewal, or extension;
- (ii) the name of any judgment creditor, debtor, assignor, or assignee; and
- (iii) for the county in which the document is recorded in accordance with Subsection (9)(a):

(A) the date on which the instrument creating the lien was recorded in that county's office of the county recorder; and

(B) in accordance with Section 57-3-106, that county recorder's entry number and book and page of the recorded instrument creating the judgment lien.

Section 33. Section **78B-5-206** is amended to read:

78B-5-206 . Mileage allowance for judgment debtor required to appear.

- (1) A judgment debtor legally required to appear before a district court~~[-or]~~ , the Business and Chancery Court, or the Collections and Housing Court to answer concerning the debtor's property is entitled, on a sufficient showing of need, to mileage of 15 cents per mile for each mile actually and necessarily traveled in going only, to be paid by the judgment creditor at whose instance the judgment debtor was required to appear.
- (2) The judgment creditor is not required to make any payment for such mileage until the

judgment debtor has actually appeared before the court.

Section 34. Section **78B-6-1303** is amended to read:

78B-6-1303 . Lis pendens -- Notice.

- (1)(a) Any party to an action filed in the United States District Court for the District of Utah, the United States Bankruptcy Court for the District of Utah, a district court of this state, ~~[or]~~the Business and Chancery Court of this state, or the Collections and Housing Court of this state that affects the title to, or the right of possession of, real property may file a notice of pendency of action.
- (b) A party that chooses to file a notice of pendency of action shall:
- (i) first, file the notice with the court that has jurisdiction of the action; and
 - (ii) second, record a copy of the notice filed with the court with the county recorder in the county where the property or any portion of the property is located.
- (c) A person may not file a notice of pendency of action unless a case has been filed and is pending in the United States District Court for the District of Utah, the United States Bankruptcy Court for the District of Utah, a district court of this state, ~~[or]~~the Business and Chancery Court of this state, or the Collections and Housing Court of this state.
- (2) The notice shall contain:
- (a) the caption of the case, with the names of the parties and the case number;
 - (b) the object of the action or defense; and
 - (c) the specific legal description of only the property affected.
- (3) From the time of filing the notice, a purchaser, an encumbrancer of the property, or any other party in interest that may be affected by the action is considered to have constructive notice of pendency of action.

Section 35. **Effective Date.**

This bill takes effect on January 1, 2027.