



Summary of Estate Planning Recodification

Overview of S.B. 79 | 2024 General Session

Why recodify?

- Recodification allows the Legislature to cleanup and restructure certain areas of the code that need clarification and reorganization. The Utah Code constantly changes, requiring the Legislature to coordinate unchanged sections with changed sections to ensure that the Utah Code remains coherent and usable.
- The Office of Legislative Research and General Counsel recommended a recodification of estate planning statutes due to concerns over statutes placed in Title 75, Utah Uniform Probate Code, that are not part of the Uniform Probate Code.
- A recodification would allow staff to clarify the Legislature’s objectives in regard to estate planning issues and would also assist judges, lawyers, agencies, and the public in understanding what statutes are part of the Uniform Probate Code in Utah.

What will the proposed recodification do?

The recodification will move estate planning statutes out of Title 22, Fiduciaries and Trusts, Title 25, Fraud, and Title 75, Utah Uniform Probate Code, to new titles over a period of two legislative sessions.

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Title 75A, Fiduciaries		Current Statutes
Chapter 1	General Provisions	Title 22, Chapter 1
Chapter 2	Uniform Power of Attorney	Title 75, Chapter 9
Chapter 3	Health Care Decisions	Title 75, Chapter 2a
Chapter 4	Uniform Powers of Appointment Act	Title 75, Chapter 10
Chapter 5	Uniform Fiduciary Income and Principal Act	Title 22, Chapter 3
Chapter 6	Uniform Fiduciary Access to Digital Assets Act	Title 75, Chapter 11
Chapter 7	Uniform Act for Simplification of Fiduciary Security Transfers	Title 22, Chapter 5
Chapter 8	Uniform Transfer to Minors Act	Title 75, Chapter 5a
Title 75B, Trusts		
Chapter 1	Trusts	Title 22, Chapters 2 and 6, & Title 25, Chapter 6, Part 5

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Title 75B, Trusts		Current Statutes
Chapter 2	Uniform Trust Code	Title 75, Chapter 7
Chapter 3	Uniform Directed Trust Code	Title 75, Chapter 12

Under Review for Possible Recodification

	Uniform Disposition of Community Property Rights at Death Act	Title 75, Chapter 2b (Not part of Uniform Probate Code)
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