



# Outline of Domestic Relations Recodification

Title 81, Utah Domestic Relations Code | 2024 General Session

The table below outlines, [Title 81, Utah Domestic Relations Code](#), which was enacted by [SB 95, Domestic Relations Recodification](#), and is set to take effect on September 1, 2024. The table provides references to the prior Utah Code sections that are contained within the new title. For more detailed information regarding the recodification, please contact the Office of Legislative Research and General Counsel.

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| New Code Sections |          | Title   | Old Code Sections                       |
|-------------------|----------|---|---|
| <b>Chapter 1</b>  |          | <b>General Provisions</b>   |   |
| <b>Part 1</b>     |          | <b>General Provisions</b>   |   |
|                   | 81-1-101 | Definitions for title.  | New                                     |
| <b>Part 2</b>     |          | <b>Domestic Relations Proceedings</b>   |   |
|                   | 81-1-201 | Definitions for part.   | New                                     |
|                   | 81-1-202 | Court records in a domestic relations action.   | 30-3-4(7);<br>30-3-10.17;<br>78B-12-116 |
|                   | 81-1-203 | Award of costs and attorney and witness fees -- Temporary support and maintenance.  | 30-3-3                                  |
|                   | 81-1-204 | Continuing jurisdiction of a court in a domestic relations action.  | 30-3-5(5);<br>78B-12-104                |
| <b>Chapter 2</b>  |          | <b>Marriage</b>   |   |
| <b>Part 1</b>     |          | <b>General Provisions</b>   |   |
|                   | 81-2-101 | Definitions for chapter.  | New                                     |
|                   | 81-2-102 | Marriage recognition policy.  | 30-1-4.1                                |
| <b>Part 2</b>     |          | <b>Premarital Counseling</b>  |   |
|                   | 81-2-201 | Definitions for part.   | 30-1-36                                 |
|                   | 81-2-202 | Premarital counseling or education -- State policy -- Applicability.  | 30-1-30                                 |
|                   | 81-2-203 | Premarital counseling board in county -- Appointment, terms, compensation, offices -- Common counseling board with adjacent county. | 30-1-31                                 |
|                   | 81-2-204 | Master plan for counseling.   | 30-1-32                                 |
|                   | 81-2-205 | Conformity to master plan for counseling as prerequisite to marriage license -- Exceptions.   | 30-1-33                                 |
|                   | 81-2-206 | Completion of counseling or education.  | 30-1-34                                 |
|                   | 81-2-207 | Persons performing counseling services designated by board -- Exemption from license requirements.                                  | 30-1-35                                 |
|                   | 81-2-208 | Confidentiality of information obtained under counseling provisions.  | 30-1-37                                 |
|                   | 81-2-209 | Fee for counseling.   | 30-1-38                                 |
| <b>Part 3</b>     |          | <b>Marriage License and Solemnization</b>   |   |
|                   | 81-2-301 | Definitions for part.   | 30-1-6(1)<br>30-1-9(1)                  |
|                   | 81-2-302 | Marriage licenses -- Use within state -- Expiration.  | 30-1-7                                  |
|                   | 81-2-303 | Application for marriage license -- Contents.   | 30-1-8(2)-(5);                          |



| New Code Sections                             | Title   | Old Code Sections  |
|---|---|--|
|   |   | 30-1-10;<br>30-1-16  |
| 81-2-304                                      | Marriage of a minor -- Consent of parent or guardian -- Juvenile court authorization.                                     | 30-1-9(2)-(4);<br>30-1-9.1<br>30-1-13<br>30-1-14<br>30-1-15(1)   |
| 81-2-305                                      | Who may solemnize marriages – Certificate.  | 30-1-6(2)-(5);<br>30-1-11;<br>30-1-13;<br>30-1-14;<br>30-1-15(2)   |
| 81-2-306                                      | County clerk to file license and certificate -- Designation as vital record.  | 30-1-12  |
| <b>Part 4</b>                                 |   |  |
| <b>Validity of Marriage</b>                   |   |  |
| 81-2-401                                      | Definitions for part.   | New  |
| 81-2-402                                      | Incestuous marriages void.  | 30-1-1   |
| 81-2-403                                      | Marriages prohibited and void.  | 30-1-2   |
| 81-2-404                                      | Validation of marriage to an individual subject to chronic epileptic fits who had not been sterilized.                    | 30-1-2.1   |
| 81-2-405                                      | Recognition and validation of marriage regardless of the race, ethnicity, or national origin of the parties.              | 30-1-2.4 (Enacted by <a href="#">H.B. 134</a> in 2024 General Session and renumbered by the coordination clause in <a href="#">S.B. 95</a> ) |
| 81-2-406                                      | Validation of a marriage to an individual with acquired immune deficiency syndrome or other sexually transmitted disease. | 30-1-2.3   |
| 81-2-407                                      | Validity of a foreign marriage -- Exceptions.   | 30-1-4   |
| 81-2-408                                      | Validity of marriage not solemnized or solemnized before an unauthorized individual.                                      | 30-1-4.5;<br>30-1-5  |
| 81-2-409                                      | Legal recognition of a child when marriage is void.   | 30-1-3   |
| <b>Chapter 3</b>                              |   |  |
| <b>Rights and Obligations During Marriage</b> |   |  |
| <b>Part 1</b>                                 |   |  |
| <b>Property Rights</b>                        |   |  |
| 81-3-101                                      | Definitions for part.   | New  |
| 81-3-102                                      | Married individual's right to contract, sue, and be sued.   | 30-2-2   |
| 81-3-103                                      | Conveyances between spouses.  | 30-2-3   |
| 81-3-104                                      | Married individual's right to wages -- Actions for personal injury.   | 30-2-4   |
| 81-3-105                                      | Separate debts.   | 30-2-5   |
| 81-3-106                                      | Actions based on property rights.   | 30-2-6   |
| 81-3-107                                      | Liability for spouse's torts.   | 30-2-7   |
| 81-3-108                                      | Agency between spouses.   | 30-2-8   |
| 81-3-109                                      | Family expenses -- Joint and several liability.   | 30-2-9   |
| 81-3-110                                      | Homestead rights -- Custody of a minor child.   | 30-2-10  |
| 81-3-111                                      | Action for consortium due to personal injury.   | 30-2-11  |
| <b>Part 2</b>                                 |   |  |
| <b>Uniform Premarital Agreement Act</b>       |   |  |



| New Code Sections |          | Title  | Old Code Sections  |
|-------------------|----------|--|--|
|                   | 81-3-201 | Definitions for part.  | 30-8-2   |
|                   | 81-3-202 | Writing -- Signature required.   | 30-8-3   |
|                   | 81-3-203 | Content.   | 30-8-4   |
|                   | 81-3-204 | Effect of marriage -- Amendment -- Revocation.   | 30-8-5   |
|                   | 81-3-205 | Enforcement.   | 30-8-6   |
|                   | 81-3-206 | Enforcement -- Void marriage.  | 30-8-7   |
|                   | 81-3-207 | Limitations of actions.  | 30-8-8   |
|                   | 81-3-208 | Application and construction.  | 30-8-9   |
| <b>Chapter 4</b>  |          | <b>Dissolution of Marriage</b>   |  |
| <b>Part 1</b>     |          | <b>General Provisions</b>  |  |
|                   | 81-4-101 | Definitions for chapter.   | New  |
|                   | 81-4-102 | Action for annulment or divorce as alternative relief.                                     | 30-1-17.4  |
|                   | 81-4-103 | Nunc pro tunc order by court.  | 30-4a-1  |
|                   | 81-4-104 | Temporary separation order.  | 30-3-4.5   |
|                   | 81-4-105 | Mandatory orientation course for divorce or temporary separation actions.                  | 30-3-11.4  |
| <b>Part 2</b>     |          | <b>Separate Maintenance</b>  |  |
|                   | 81-4-201 | Definitions for part.  | New  |
|                   | 81-4-202 | Petition for separate maintenance -- Grounds.  | 30-4-1   |
|                   | 81-4-203 | Venue -- Procedure.  | 30-4-2   |
|                   | 81-4-204 | Custody and maintenance of children -- Property and debt division -- Support payments.     | 30-4-3   |
|                   | 81-4-205 | Restraining disposal of property.  | 30-4-4   |
|                   | 81-4-206 | Rights and remedies -- Imprisonment of spouse.   | 30-4-5   |
| <b>Part 3</b>     |          | <b>Annulment</b>   |  |
|                   | 81-4-301 | Definitions for part.  | New  |
|                   | 81-4-302 | Annulment -- Grounds.  | 30-1-17.1  |
|                   | 81-4-303 | Petition for annulment -- Venue -- Judgment on validity of marriage.                       | 30-1-17;<br>30-1-17.2(1);<br>30-1-17.3   |
| <b>Part 4</b>     |          | <b>Divorce</b>   |  |
|                   | 81-4-401 | Definitions for part.  | New  |
|                   | 81-4-402 | Petition for divorce -- Divorce proceedings -- Temporary orders.                           | 30-3-1(1)-(2);<br>30-3-4(3)-(6)<br>(Enacted by <a href="#">H.B. 337</a><br>in 2024 General<br>Session and<br>renumbered by<br>coordination clause<br>in <a href="#">S.B. 95</a> )<br>30-3-18 |
|                   | 81-4-403 | Mediation requirement.   | 30-3-39  |
|                   | 81-4-404 | Allegations of child abuse or child sexual abuse in a divorce proceeding -- Investigation. | 30-3-5.2   |
|                   | 81-4-405 | Grounds for divorce.   | 30-3-1   |



| New Code Sections |          | Title   | Old Code Sections   |
|-------------------|----------|---|---|
|                   | 81-4-406 | Decree of divorce -- When decree becomes absolute -- Remarriage -- Jurisdiction to modify a decree for a child born after the decree. | 30-3-4(2)(b)-(c);<br>30-3-5(2), (3)(c)-(e),<br>(6);<br>30-3-7;<br>30-3-8  |
| <b>Part 5</b>     |          | <b>Spousal Support</b>  |   |
|                   | 81-4-501 | Definitions for part.   | 30-3-5(1)   |
|                   | 81-4-502 | Determination of alimony.   | 30-3-5(10)  |
|                   | 81-4-503 | Imputed income for payee for alimony purposes -- No recent work history or disability.  | 30-3-5.5 (Enacted by <a href="#">H.B. 220</a> in 2024 General Session and renumbered by coordination clause in <a href="#">H.B. 220</a> ) |
|                   | 81-4-504 | Modification of alimony after divorce decree.   | 30-3-5(11)<br>(Renumbered from 81-4-503 by coordination clause in <a href="#">S.B. 95</a> )   |
|                   | 81-4-505 | Termination of alimony.   | 30-3-5(12)-(14)<br>(Renumbered from 81-4-504 by coordination clause in <a href="#">S.B. 95</a> )  |
| <b>Chapter 5</b>  |          | <b>Uniform Parentage Act</b>  |   |
|                   | 81-5-101 | Reserved.   | New   |
| <b>Chapter 6</b>  |          | <b>Child Support</b>  |   |
| <b>Part 1</b>     |          | <b>General Provisions</b>   |   |
|                   | 81-6-101 | Definitions for chapter.  | 78B-12-102  |
|                   | 81-6-102 | Application of chapter.   | 78B-12-210(1)   |
|                   | 81-6-103 | Jurisdiction over a child support proceeding -- Appeals.  | 78B-12-103;<br>78B-12-110   |
|                   | 81-6-104 | Duty of parents to provide support for a child -- Support follows the child.  | 78B-12-105;<br>78B-12-106;<br>78B-12-108(1);<br>78B-12-117  |
|                   | 81-6-105 | Duty of biological father to share pregnancy expenses.  | 78B-12-105.1;<br>78B-12-212.1   |
|                   | 81-6-106 | Duty of obligor -- Enforcement of right of support.   | 78B-12-107;<br>78B-12-113   |
|                   | 81-6-107 | Procedure for child support proceeding -- Documentation.  | 78B-12-201  |
|                   | 81-6-108 | Waiver and estoppel.  | 78B-12-109  |
|                   | 81-6-109 | Spousal privilege -- Competency of spouses.   | 78B-12-115  |
|                   | 81-6-110 | County attorney to assist obligee.  | 78B-12-114  |
| <b>Part 2</b>     |          | <b>Calculation and Adjustment of Child Support</b>  |   |
|                   | 81-6-201 | Definitions for part.   | New   |



| New Code Sections |          | Title  | Old Code Sections  |
|-------------------|----------|--|--|
|                   | 81-6-202 | Determination of amount of child support -- Application of child support guidelines -- Requirements for child support order.   | 78B-12-111;<br>78B-12-201(4);<br>78B-12-202(2)-(4);<br>78B-12-210                            |
|                   | 81-6-203 | Determination of gross income for child support -- Imputing income to a parent.  | 78B-12-203   |
|                   | 81-6-204 | General provisions for calculating child support -- Determination of base combined child support obligation.                   | 78B-12-204;<br>78B-12-205(1)-(3),<br>(5)-(8);<br>78B-12-206;<br>78B-12-207;<br>78B-12-211(1) |
|                   | 81-6-205 | Sole physical custody -- Obligation calculations -- Change in physical custody.  | 78B-12-108(2)<br>78B-12-205(1), (4),<br>(6);   |
|                   | 81-6-206 | Joint physical custody -- Obligation calculations.   | 30-3-35.2(2)(e)(ii);<br>78B-12-208   |
|                   | 81-6-207 | Split physical custody -- Obligation calculations.   | 78B-12-209   |
|                   | 81-6-208 | Requirements for a child support order regarding medical expenses -- Determination of parental liability for medical expenses. | 26B-9-227;<br>30-3-5(3)(a)-(b);<br>30-3-5.4<br>78B-12-212;<br>78B-12-213                     |
|                   | 81-6-209 | Requirements for a child support order regarding child care costs and expenses -- Actual expenses for child care.              | 30-3-5(4);<br>78B-12-211(2);<br>78B-12-214;<br>78B-12-215                                    |
|                   | 81-6-210 | Award of tax exemption for a child.  | 78B-12-217   |
|                   | 81-6-211 | Reduction for extended parent-time.  | 78B-12-216   |
|                   | 81-6-212 | Modification of child support order -- Adjustment of child support.  | 78B-12-202(1)<br>78B-12-210(8)-(9)   |
|                   | 81-6-213 | Adjustment to child support when child becomes emancipated.  | 78B-12-219   |
|                   | 81-6-214 | Accountability of support provided to benefit a child -- Accounting.   | 78B-12-218   |
| <b>Part 3</b>     |          | <b>Child Support Tables</b>  |  |
|                   | 81-6-301 | Definitions for part.  | New  |
|                   | 81-6-302 | Base combined child support obligation table -- Both parents -- Child support orders entered before January 1, 2023.           | 78B-12-301   |
|                   | 81-6-303 | Low income table -- Obligor parent only -- Child support orders entered before January 1, 2023.                                | 78B-12-302   |
|                   | 81-6-304 | Based combined child support obligation table -- Both parents -- Child support orders entered on or after January 1, 2023.     | 78B-12-303   |
|                   | 81-6-305 | Low income table -- Obligor parent only -- Child support orders entered on or after January 1, 2023.                           | 78B-12-304   |
| <b>Part 4</b>     |          | <b>Child Support Guidelines Advisory Committee</b>   |  |
|                   | 81-6-401 | Definitions for part.  | New  |



| New Code Sections |          | Title  | Old Code Sections  |
|-------------------|----------|--|--|
|                   | 81-6-402 | Creation of advisory committee.  | 78B-12-401   |
|                   | 81-6-403 | Duties -- Report -- Staff.   | 78B-12-402   |
|                   | 81-6-404 | Expenses for per diem and travel.  | 78B-12-403   |
| <b>Chapter 7</b>  |          | <b>Payment and Enforcement of Spousal and Child Support</b>  |  |
|                   | 81-7-101 | Definitions for chapter.   | New  |
|                   | 81-7-102 | Payment under child support or alimony order -- Judgment.  | 30-3-10.5;<br>78B-12-112   |
|                   | 81-7-103 | Collection fee for past due child support or alimony.  | 30-3-3.5   |
| <b>Chapter 8</b>  |          | <b>Uniform Interstate Family Support Act</b>   |  |
|                   | 81-8-101 | Reserved.  | New  |
| <b>Chapter 9</b>  |          | <b>Custody, Parent-time, and Visitation</b>  |  |
| <b>Part 1</b>     |          | <b>General Provisions</b>  |  |
|                   | 81-9-101 | Definitions for chapter.   | 30-3-10.1;<br>30-3-10.7;<br>30-3-32(1)   |
|                   | 81-9-102 | Expedited Parent-time Enforcement Program.   | 30-3-38  |
|                   | 81-9-103 | Mandatory parenting course for parties in a divorce or parentage action.                                 | 30-3-11.3<br>(Renumbered by the coordination clause in <a href="#">S.B. 95</a> )   |
|                   | 81-9-104 | Expert evidence -- Violence or abuse findings -- Child relationship and reunification.                   | 30-3-41 (Enacted by <a href="#">H.B. 272</a> in the 2024 General Session and renumbered by the coordination clause in <a href="#">H.B. 272</a> ) |
| <b>Part 2</b>     |          | <b>Custody and Parent-time Between Parents</b>   |  |
|                   | 81-9-201 | Definitions for part.  | New  |
|                   | 81-9-202 | Advisory guidelines for a custody and parent-time arrangement.   | 30-3-33;<br>30-3-36(2)-(3)   |
|                   | 81-9-203 | Custody and parent-time proceedings -- Requirements for parenting plan.                                  | 30-3-10(6)(a);<br>30-3-10.8;<br>30-3-10.9  |
|                   | 81-9-204 | Custody and parent-time of a minor child -- Custody factors -- Preferences.                              | 30-3-10;<br>30-3-10.2(3);<br>30-3-10.10(1);<br>30-3-32(2)-(4)  |
|                   | 81-9-205 | Presumption of joint legal custody -- Joint custody factors -- Order for joint custody.                  | 30-3-10(5), (6)(b);<br>30-3-10.1(4)(b)-(e),<br>(5)(b)-(d);<br>30-3-10.2;<br>30-3-10.3  |
|                   | 81-9-206 | Determination of parent-time schedule -- Parent-time factors.  | 30-3-5(7)(b);<br>30-3-10.10(2)-(4);<br>30-3-34;<br>30-3-36(1)  |
|                   | 81-9-207 | Supervised parent-time.  | 30-3-34.5  |
|                   | 81-9-208 | Modification or termination of a custody or parent-time order -- Noncompliance with a parent-time order. | 30-3-5(8)-(9);<br>30-3-10(1);  |



| New Code Sections | Title   | Old Code Sections    |
|-------------------|---|----------------------|
|                   |   | 30-3-10.4            |
| 81-9-209          | Notice of relocation -- Effect of relocation on parent-time schedule.     | 30-3-37              |
| <b>Part 3</b>     | <b>Parent-time Schedules</b>  |                      |
| 81-9-301          | Definitions for part.   | New                  |
| 81-9-302          | Minimum schedule for parent-time for a minor child five to 18 years old.  | 30-3-35              |
| 81-9-303          | Optional schedule for parent-time for a minor child five to 18 years old. | 30-3-35.1            |
| 81-9-304          | Minimum schedule for parent-time for a minor child under five years old.  | 30-3-35.5            |
| 81-9-305          | Equal parent-time schedule.   | 30-3-35.2            |
| <b>Part 4</b>     | <b>Custody and Visitation by Individual Other than a Parent</b>           |                      |
| 81-9-401          | Definitions for part.   | 30-5-1;<br>30-5a-102 |
| 81-9-402          | Custody and visitation for individuals other than a parent -- Venue.      | 30-5a-103            |
| 81-9-403          | Visitation rights of grandparents.  | 30-5-2               |
| 81-9-404          | Exceptions to visitation by nonparent.                                    | 30-5a-104            |