Effective 11/6/2025

Chapter 71
County Recorder

Part 1
General Provisions

17-71-101 Definitions.

As used in this chapter:

(1) "Boundary action" means the same as that term is defined in Section 17-73-101.

(2) "Land use authority" means:

(a) a person, board, commission, agency, or body, including the local legislative body, designated by the local legislative body to act upon a land use application; or

(b) if the local legislative body has not designated a person, board, commission, agency, or body, the local legislative body.

(3) "Local entity" means the same as that term is defined in Section 67-1a-6.5.

(4) "Personal information" means:

(a) a signature;

(b) the first five digits of a social security number; or

(c) the month and day of the month of a birth date.

Enacted by Chapter 13, 2025 Special Session 1

17-71-102 Seal.

The county recorder shall have a seal, furnished by the county legislative body, the impression of which shall contain:

(1) the words: "State of Utah, County Recorder"; and

(2) the name of the county in which the seal is to be used.

Renumbered and Amended by Chapter 13, 2025 Special Session 1

17-71-103 County recorder duties in certain counties.

In counties where there is no elected surveyor, the county recorder shall fulfill the duties of a county surveyor as described in Subsection 17-73-201(1)(c).

Amended by Chapter 105, 2026 General Session

Part 2
Qualifications and Term

17-71-201 Reserved.

Reserved.

Enacted by Chapter 13, 2025 Special Session 1

Part 3
Powers, Duties, and Prohibitions

17-71-301 Document custody responsibility -- Compliance with County Recorder Standards Board rules -- Compliance with county appeal authority.

The county recorder:

(1) is custodian of all recorded documents, records, and associated data required by law to be recorded;

(2) shall comply with rules made by the County Recorder Standards Board under Section 63C-30-202, including rules that govern:

(a) the protection of recorded documents and records in the county recorder's custody;

(b) the electronic submission of plats, records, and other documents to the county recorder's office;

(c) the protection of privacy interests in the case of documents and records in the county recorder's custody; and

(d) the formatting, recording, and redaction of documents and records in the county recorder's custody;

(3) shall comply with the appeal authority established by the county legislative body in accordance with Section 17-71-306;

(4) may adopt policies and procedures governing the office of the county recorder that do not conflict with this chapter or rules made by the County Recorder Standards Board under Section 63C-30-202; and

(5) shall comply with approval requirements described in Section 17-71-301.5 before accepting digitally authenticated records as defined in Section 17-71-301.5.

Amended by Chapter 187, 2026 General Session

17-71-301.5 Digital authentication of county records -- Standards and approval process.

(1) As used in this section:

(a) "Digital authentication" means a method of verifying the identity of a person and the integrity of an electronic document using tamper-evident technology that:

(i) creates a verifiable record of the authentication; and

(ii) meets standards established under Section 63A-12-117.

(b) "Digital authentication system" means the technology and procedures used to create digitally authenticated records.

(c) "Digitally authenticated record" means an electronic document that:

(i) has been authenticated using digital authentication as defined in this section;

(ii) meets the requirements established by rule under Section 63A-12-117; and

(iii) if the document is to be recorded by a county recorder, has been approved for county use in accordance with Section 17-71-301.5.

(d) "Division" means the Division of Technology Services created in Section 63A-16-103.

(e) "Records Management Committee" means the Records Management Committee created in Section 63A-12-112.

(f) "State Archives" means the Division of Archives and Records Service created in Section 63A-12-101.

(g) "Tamper-evident technology" means technology that:

(i) creates a permanent, verifiable record that allows detection of any unauthorized alteration to an electronic document after authentication; and
(ii) maintains an immutable audit trail of authentication events.
(2)
(a) A county recorder may accept and record a digitally authenticated record if:
(i) the county has obtained approval under Subsection (3); and
(ii) the digitally authenticated record meets the requirements of Section 17-71-602.
(b) A county recorder that accepts digitally authenticated records shall:
(i) maintain procedures for accepting both digitally authenticated records and traditionally notarized documents;
(ii) provide public notice of the types of digital authentication the county accepts;
(iii) ensure compliance with retention requirements established by the state archivist under Section 63A-12-117; and
(iv) maintain audit trails for all digitally authenticated records accepted.
(3) Before accepting digitally authenticated records, a county shall:
(a) submit a proposal to the State Archives that describes:
(i) the digital authentication system the county proposes to use;
(ii) security measures to protect record integrity;
(iii) procedures for verification of authentication;
(iv) the types of records the county proposes to accept through digital authentication;
(v) implementation timelines and training plans;
(vi) compliance with retention schedules approved by the Records Management Committee;
(vii) preservation requirements for permanent records;
(viii) transfer procedures for records to be archived;
(ix) format specifications for long-term storage;
(x) consultation conducted with:
(A) the Title and Escrow Commission created in Section 31A-2-403;
(B) the County Recorder Standards Board created in Section 63C-30-201; and
(C) other private industry stakeholders with interests affected by the proposal; and
(xi) a summary of concerns raised during the consultations described in Subsection (3)(a)(x); and
(b) obtain approval from the state archivist in accordance with Subsection (4).
(4)
(a) The state archivist shall review each county proposal submitted under Subsection (3) for:
(i) compliance with:
(A) retention schedules approved by the Records Management Committee;
(B) preservation standards for digital records established under Section 63A-12-117;
(C) transfer requirements for permanent records; and
(D) technical standards established by rule under Section 63A-12-117;
(ii) sufficiency of county resources and training for implementation; and
(iii) completeness of the consultation requirements described in Subsection (3)(a)(x) and consideration of concerns described in Subsection (3)(a)(xi).
(b) The state archivist shall consult with the division regarding technical aspects of a proposal.
(c) Before the state archivist approves a proposal, the county, with assistance from State Archives, shall present the proposal to the Records Management Committee in a public meeting that provides opportunity for public comment.
(d) The state archivist shall provide written approval or denial to the county within 45 days after the day on which the county submits a proposal under Subsection (3).

(e) If the state archivist denies a proposal, the state archivist shall provide:
(i) specific reasons for denial; and
(ii) recommendations for modification.
(f) A county may resubmit a modified proposal in accordance with this section.
(5) An approval granted under Subsection (4) is valid for three years and may be renewed upon demonstration of continued compliance with the requirements of this section.
(6) A county recorder may establish and collect fees for accepting and recording digitally authenticated records in accordance with Section 17-71-407.

Enacted by Chapter 187, 2026 General Session

17-71-302 General duties -- Records and indexes.
(1) The county recorder shall:
(a) upon acceptance and recording of an instrument:
(i) endorse on the instrument:
(A) an entry number corresponding with the acceptance and recording;
(B) the date of acceptance and recording, including the hour, day, month, and year; and
(C) the recording fee;
(ii) index each instrument:
(A) by entry number;
(B) if applicable, by each grantor, mortgagor, trustor, debtor, plaintiff, or person charged with encumbrance under the instrument;
(C) if applicable, by each grantee, mortgagee, trustee, lien holder, creditor, claimant, or defendant described in the instrument;
(D) if applicable, by each legal description, as described in Section 57-3-105;
(E) by type of instrument; and
(F) if applicable, by water right number; and
(b) beginning January 1, 2025:
(i) maintain a system that allows a property owner to receive, upon the property owner's election, an electronic notice when the county recorder records a deed or mortgage, as defined in Section 70D-1-102, on the property owner's real property; and
(ii) if a property owner elects to receive electronic notice as described in Subsection (1)(b)(i), within 30 days after the day on which the county recorder records a deed or a mortgage as defined in Section 70D-1-102 on real property, provide an electronic notice of the recording to each property owner.
(2) Upon request, a county recorder may provide the notice described in Subsection (1)(b)(ii) to a property owner by a means other than electronic.
(3) Subsection (1)(b) applies only to real property for which the county treasurer provides a tax notice described in Section 59-2-1317.
(4)
(a) The index required by Subsection (1) shall be kept so that the index shows a true chain of title to each tract or parcel, together with each encumbrance on the tract or parcel, according to the records of the county recorder's office.
(b) A recorder shall index the legal description required by Subsection (1)(a)(ii)(D) unless:
(i) the instrument is required to contain a legal description under Section 17-71-402 or Section 57-3-105 and does not contain that legal description; or
(ii) the instrument contains errors, omissions, or defects to the extent that the tract or parcel to which the instrument relates cannot be determined.

(c) To index an instrument as required by this section, the recorder may:
(i) use a tax parcel number;
(ii) use a site address;
(iii) reference to other instruments of record recited on the instrument; or
(iv) reference another instrument that is recorded concurrently with the instrument.
(d) A recorder is not required to go beyond the face of an instrument to determine the tract or parcel to which an instrument may relate.
(e) A person may not bring an action against a recorder for injuries or damages suffered as a result of information contained in an instrument recorded in an index that is required by this section despite errors, omissions, or defects in the instrument.
(f) The fact that a recorded instrument is included in the index does not cure a failure to give public notice caused by an error, omission, or defect.
(g) A document that is indexed in all or part of the indexes required by this section shall give constructive notice.
(5) Nothing in this section prevents the county recorder from using multiple indexes.

Amended by Chapter 105, 2026 General Session

17-71-303 Ownership plats -- Use of geographic information systems or computer systems.
(1) The county recorder shall prepare and keep ownership plats that:
(a) are drawn to a convenient scale;
(b) show the record owners of each tract of land in the county; and
(c) show the dimensions of each tract of land in the county.
(2) The county recorder may not be required to:
(a) show ownership of timeshare units or timeshare estates on ownership plats; or
(b) show lot or unit ownership on subdivisions or condominium plats or other ownership plats if that information is available through computer systems or other indexes.
(3) Nothing in this chapter precludes the county recorder from using geographic information systems or computer systems if the systems include all of the information this section requires.
(4) An ownership plat prepared under this section does not constitute a boundary record.

Renumbered and Amended by Chapter 13, 2025 Special Session 1

17-71-304 Annual revision -- Reporting changes in ownership to county assessors -- Use of geographic information systems or computer systems.
(1) The county recorder shall:
(a) each year, prepare copies of ownership plats and descriptions, showing record owners at noon on January 1;
(b) on or before January 30 of each year, transmit the copies to the county assessor;
(c) report all changes in recorded ownership of real property made during the first seven months of each calendar year to the county assessor not later than August 15 of that year;
(d) for the remainder of the calendar year, report the changes in the ownership of real property that are recorded in the county recorder's office each month on or before the 15th day of the month following the month in which the changes were recorded;
(e) transmit the changes of ownership on appropriate forms that show the current owner's name and a full legal description of the property conveyed; and
(f) where only a part of the grantor's property is conveyed, transmit an additional form showing a full legal description of the portion retained.

(2) Nothing in this chapter precludes the county recorder from using geographic information systems or computer systems if the systems include all of the information this section requires.

Renumbered and Amended by Chapter 13, 2025 Special Session 1

17-71-305 Acknowledgments and administrations of oaths.

County recorders may take and certify acknowledgments and administer oaths.

Renumbered and Amended by Chapter 13, 2025 Special Session 1

17-71-306 Establishment of county recorder appeal authority.

(1) On or before July 1, 2023, a county legislative body shall, by ordinance, establish an appeal authority to hear and decide appeals from a county recorder's application of rules made by the County Recorder Standards Board under Section 63C-30-201.

(2) This section:

(a) does not preclude an individual who seeks an appeal from a county recorder's decision from pursuing any other available remedy; and

(b) may not be construed as requiring an individual to exhaust administrative remedies with an appeal authority established under Subsection (1) before seeking any other available remedy.

Renumbered and Amended by Chapter 13, 2025 Special Session 1

17-71-307 Prohibited acts.

(1)

(a) Upon acceptance of an instrument entitled to be recorded, the county recorder may not:

(i) record the instrument in any manner other than the manner required by this chapter;

(ii) alter, change, obliterate, or insert any new matter in any instrument of record; or

(iii) remove the instrument from the county recorder's records.

(b) In accordance with Section 17-71-406, a county recorder may redact personal information from a copy of an originally recorded instrument.

(2) A county recorder does not violate this section by:

(a) denying access to:

(i) an instrument of record that has been classified as private under Section 63G-2-302;

(ii) a portion of an instrument of record that has been classified as private under Section 63G-2-302; or

(iii) subject to Section 17-71-406, an originally recorded instrument of record for which a redacted copy exists and is accessible under Section 17-71-406; or

(b) placing an endorsement, reference, or other note on a document in the course of the county recorder's work.

Renumbered and Amended by Chapter 13, 2025 Special Session 1

Part 4
General Recording Provisions

17-71-401 Recording procedures -- Endorsements of entry number required on documents.

(1) When a document is accepted by the county recorder's office for recording, the county recorder shall:
(a) endorse upon the first page of the document the relevant information described in Section 17-71-302; and
(b) record the document during office hours in the order it was accepted.
(2) A county recorder shall place an entry number or a book and page reference on each page of a document that the county recorder accepts for recording only if the original document or a copy of the document is kept as a public record under Section 17-71-404.
(3)
(a) A county recorder may endorse each document that the county recorder accepts for recording with a book and page reference.
(b) If a county recorder elects not to endorse a document with a book and page reference, the book and page reference may be omitted:
(i) in each index required by statute; and
(ii) on each document presented for recording that is required to recite recording data.
(4) Subject to Section 17-71-404, the county recorder shall return the document to the person that the county recorder considers appropriate.

Renumbered and Amended by Chapter 13, 2025 Special Session 1

17-71-402 Recording required -- County recorder may impose requirements on documents to be recorded -- Requirements for recording local entity plat -- Point of the Mountain State Land Authority plat.
(1) Subject to Subsections (3), (4), and (5), a county recorder shall record each paper, notice, and instrument required by law to be recorded in the office of the county recorder unless otherwise provided.
(2)
(a) Beginning on or before January 1, 2022, each county shall accept and provide for the electronic recording of instruments.
(b) Beginning on or before January 1, 2023, each county shall:
(i) provide for the electronic recording of a plat; and
(ii) accept an electronic document for the recording of a plat.
(3) Subject to Part 6, Uniform Real Property Electronic Recording Act, each document that is submitted for recording to a county recorder's office shall:
(a) unless otherwise provided by law, be an original or certified copy of the document;
(b) be in English or be accompanied by an accurate English translation of the document;
(c) contain a brief title, heading, or caption on the first page stating the nature of the document;
(d) except as otherwise provided by statute, contain the legal description of the property that is the subject of the document in accordance with Subsection 57-3-105(4);
(e) comply with the requirements of Section 17-71-403 and Subsections 57-3-105(1) and (2);
(f) be notarized with the notary stamp with the seal legible, unless:
(i) otherwise provided by statute; or
(ii) the lieutenant governor has affixed the Great Seal in accordance with Subsection 67-1a-2(1)(f); and
(g) have original signatures.
(4)

(a) Subject to Part 6, Uniform Real Property Electronic Recording Act, a county recorder may require that each paper, notice, and instrument submitted for recording in the county recorder's office:

(i) be on white paper that is 8-1/2 inches by 11 inches in size;

(ii) have a margin of one inch on the left and right sides and at the bottom of each page;

(iii) have a space of 2-1/2 inches down and 4-1/2 inches across the upper right corner of the first page and a margin of one inch at the top of each succeeding page;

(iv) not be on sheets of paper that are continuously bound together at the side, top, or bottom;

(v) not contain printed material on more than one side of each page;

(vi) be printed in black ink and not have text smaller than seven lines of text per vertical inch; and

(vii) be sufficiently legible to make certified copies.

(b) A county recorder who intends to establish requirements under Subsection (4)(a) shall first:

(i) provide formal notice of the requirements; and

(ii) establish and publish an effective date for the requirements that is at least three months after the formal notice under Subsection (4)(b)(i).

(5)

(a) To facilitate the abstracting of an instrument to which a tax identification number is assigned, a county recorder may require that the applicable tax identification number of each parcel described in the instrument be noted on the instrument before the county recorder accepts the instrument for recording.

(b) If a county recorder requires the applicable tax identification number to be on an instrument before the instrument may be recorded:

(i) the county recorder shall post a notice of that requirement in a conspicuous place at the recorder's office;

(ii) the tax identification number may not be considered to be part of the legal description and may be indicated on the margin of the instrument; and

(iii) an error in the tax identification number does not affect the validity of the instrument or effectiveness of the recording.

(6) Subsections(3), (4), and (5) do not apply to:

(a) a map or plat;

(b) a certificate or affidavit of death that a government agency issues;

(c) a military discharge or other record that a branch of the United States military service issues;

(d) a document regarding taxes that is issued by the Internal Revenue Service of the United States Department of the Treasury;

(e) a document submitted for recording that has been filed with a court and conforms to the formatting requirements established by the court; or

(f) a document submitted for recording that is in a form required by law.

(7)

(a) A person may not submit to a county recorder for recording a plat depicting the boundary of a local entity as the boundary exists as a result of a boundary action, unless:

(i) the plat has been approved under Section 17-73-507 by the county surveyor as a final local entity plat, as defined in Section 17-73-101; and

(ii) the person also submits for recording:

(A) the original notice of an impending boundary action, as defined in Section 67-1a-6.5, for the boundary action for which the plat is submitted for recording;

(B) the original applicable certificate, as defined in Section 67-1a-6.5, issued by the lieutenant governor under Section 67-1a-6.5 for the boundary action for which the plat is submitted for recording; and

(C) each other document required by statute to be submitted for recording with the notice of an impending boundary action and applicable certificate.

(b) Promptly after recording the documents described in Subsection (7)(a) relating to a boundary action, but no later than 10 days after the day on which the county recorder records those documents, the county recorder shall send a copy of all those documents to the State Tax Commission.

(8) The county recorder for a county of the first class shall record a plat submitted by the Point of the Mountain State Land Authority, created in Section 11-59-201, for point of the mountain state land if the submitted plat:

(a) is in a recordable and legible format; and

(b) includes:

(i) a subdivision name that is distinct from any subdivision name on a plat recorded in the county recorder's office;

(ii) the boundaries, course, and dimensions of all of the parcels of ground divided, by their boundaries, course, and extent, whether the authority will use any parcel of ground as a street or for any other public use, and whether any such area is reserved or proposed for dedication for a public purpose;

(iii) the lot or unit reference, block or building reference, street or site address, street name or coordinate address, and acreage or square footage for all parcels, units, or lots;

(iv) every existing right-of-way and recorded easement located within the plat for:

(A) an underground facility;

(B) a water conveyance facility; or

(C) any other utility facility; and

(v) any water conveyance facility located, entirely or partially, within the plat that:

(A) is not recorded; and

(B) of which the authority has actual or constructive knowledge, including from information made available to the authority in the state engineer's inventory of canals or from a surveyor.

Amended by Chapter 77, 2026 General Session

17-71-403 Names of persons signing to be typed or printed on instruments presented for recording.

(1)

(a) Each instrument presented to the county recorder for recording shall have typed or printed on it the name of each person whose signature appears on the instrument whose name is required to be indexed.

(b) The person's typed or printed name shall appear just beneath that person's signature.

(2) The requirements of Subsection (1) do not affect the legality of the instrument to be recorded.

Renumbered and Amended by Chapter 13, 2025 Special Session 1

17-71-404 Public record of original documents or copies -- Receipt of recording.

(1) After accepting a document for recording, receiving the fees for recording it, and completing recording procedures, the county recorder shall, only if required by statute, keep the original

document or a copy of the original document as a public record in a form sufficient to meet the requirements of this chapter.

(2)

(a) The county recorder may make and furnish certified photographic copies of any of the records in the office to an individual who pays the applicable fees.

(b) The county recorder shall supply certified copies of any of the records to a county officer for the officer's official use without the payment of a fee.

(3) Upon recording an instrument, the county recorder shall, if requested, give a receipt to the individual presenting an instrument for recording.

Renumbered and Amended by Chapter 13, 2025 Special Session 1

17-71-405 Records open to inspection -- Copies.

(1) All instruments of record and all indexes required by this chapter are open to public inspection during office hours, except:

(a) instruments classified as private under Section 63G-2-302;

(b) military records described in Section 17-71-503; and

(c) instruments with respect to which a redaction of personal information has occurred under Section 17-71-406, if the redacted copy of the instrument is open to public inspection during office hours.

(2) Upon payment of the applicable fee, a person may obtain copies of a public record.

(3)

(a) The county recorder may make and furnish certified copies of any of the records in the office to an individual who pays the applicable fees.

(b) The county recorder shall supply certified copies of any of the records to a county officer for the officer's official use without the payment of a fee.

Renumbered and Amended by Chapter 13, 2025 Special Session 1

17-71-406 Redacting personal information.

(1)

(a) An individual may request, in accordance with Subsection (2), to have the county recorder create a redacted version of a previously recorded instrument.

(b) The redacted version of a previously recorded instrument will, in accordance with this section, reflect redactions of the individual's personal information.

(2) A request under Subsection (1)(a) shall:

(a) be in writing;

(b) include payment of the fee described in Subsection (5); and

(c) identify the location of the personal information in the county recorder's records by:

(i) entry number and page number; or

(ii) book and page number.

(3) If an individual makes a request in accordance with Subsection (2), the county recorder shall:

(a) create a copy of the originally recorded instrument of record for the purpose of creating a redacted version of the originally recorded instrument;

(b) on the copy of the originally recorded instrument created under Subsection (3)(a):

(i) redact the personal information, ensuring that the originally recorded instrument is not altered or changed;

(ii) indicate:

(A) the date and time that the redaction occurred; and
(B) that the originally recorded instrument remains on file with the county recorder's office; and
(c) make the redacted copy of the originally recorded instrument accessible and available for inspection.
(4) The county recorder shall produce or provide access to the originally recorded instrument of record if:
(a) the individual requesting a copy of the originally recorded instrument is:
(i) the individual whose personal information was redacted on the copy of the originally recorded instrument;
(ii) if the instrument is a trust deed, a beneficiary of the trust deed;
(iii) acting on behalf of a title company that has a valid business license issued by the state or a political subdivision of the state; or
(iv) an attorney that has a valid license from the Utah State Bar;
(b) the county recorder is responding to a valid subpoena;
(c) the county recorder is responding to a valid request under Title 63G, Chapter 2, Government Records Access and Management Act; or
(d) a court of competent jurisdiction orders the county recorder to produce the originally recorded instrument.
(5) The county recorder may charge a fee, in accordance with Section 17-71-407, for costs related to redacting personal information.

Renumbered and Amended by Chapter 13, 2025 Special Session 1

17-71-407 Fees -- Fees paid in advance.
(1) The county recorder may not record any instrument, furnish any copies, or provide any service connected with the office of the county recorder until the relevant fees described in this section or established by county ordinance or resolution have been:
(a) paid; or
(b) authorized to be paid electronically.
(2) A county legislative body may set by ordinance or resolution reasonable fees for the services of the county recorder not described in Subsections (3) and (4), including for:
(a) copies of any record or document; and
(b) a subscription service described in Subsection (7).
(3)
(a) Subject to Subsection (3)(b), a county recorder shall charge and receive the following fees:
(i) for recording any instrument, not otherwise provided for, other than bonds of public officers, $40;
(ii)
(A) for recording any instrument, including those provided for under Title 70A, Uniform Commercial Code, other than bonds of public officers, and not otherwise provided for, $40; and
(B) if an instrument contains more than 10 descriptions, $2 for each additional description;
(iii) for recording mining location notices and affidavits of labor affecting mining claims, $40;
(iv) for an affidavit or proof of labor that contains more than 10 mining claims, $2 for each additional mining claim;
(v) for redacting personal information in accordance with Section 17-71-406, $5;
(vi) for recording any plat, $50 for each sheet and $2 for each lot or unit designation;

(vii) for recording any license issued by the Division of Professional Licensing, $40;
(viii) for recording a federal tax lien, $40; and
(ix) for recording the discharge of a federal tax lien, $40.
(b) A county of the second, third, fourth, fifth, or sixth class, as classified under Section 17-60-104, shall charge and receive an additional $5 for each service described in Subsection (3)(a), other than for the additional $2 for each additional description or mining claim as described in Subsections (3)(a)(ii)(B) and (iv), unless the county has a balance in the restricted account into which recording fees are deposited.
(4)
(a) Each county recorder shall record the mining rules of the several mining districts in each county without a fee.
(b) Certified copies of these records shall be received in all tribunals and before all officers of this state as prima facie evidence of the rules.
(5) If a county legislative body does not set a different fee by ordinance or resolution for a service, as described in Subsection (2), the county recorder shall charge and receive the following fees:
(a) for each certificate under seal, $5; and
(b) for taking and certifying acknowledgments, including seal, $5 for one name and $2 for each additional name.
(6) A county recorder may not charge more than one recording fee for each instrument, regardless of whether the instrument bears multiple descriptive titles or includes one or more attachments as part of the instrument.
(7) A county recorder may provide records or information within records to a requesting entity on a subscription basis.
(8) A county recorder may not be required to collect a fee for services that are unrelated to the county recorder's office.

Amended by Chapter 105, 2026 General Session

17-71-408 Notice given by recording.
(1) Each document from the time of recording gives notice to all persons of the contents of the recorded document.
(2) Subsequent purchasers, mortgagees, and lien holders purchase and encumber with the same notice and effect as if the certified copy was the original document.

Amended by Chapter 105, 2026 General Session

Part 5
Particular Recorded Documents

17-71-501 Indexing of deeds and other instruments.

Deeds and other instruments affecting real estate made by a United States marshal, a sheriff, master in chancery, special commissioner, executor, administrator, guardian, trustee, or other person with legal authority to act in behalf of another shall be indexed in the name of the person whose land is sold or affected as grantor.

Renumbered and Amended by Chapter 13, 2025 Special Session 1

17-71-502 Judgments affecting real estate.

(1) A county recorder shall record for real property, any part of which is located in the county:
  (a) a judgment affecting the real property;
  (b) a release, assignment, renewal, or extension of a judgment lien affecting the real property; or
  (c) a certified copy of a final judgment or decree partitioning or affecting the title or possession of the real property.
(2) A document recorded in accordance with this section is subject to the requirements of Section 57-3-106.

Renumbered and Amended by Chapter 13, 2025 Special Session 1

17-71-503 Military records -- Evidence.

(1) Upon presentation, the county recorder shall:
  (a) record, free of charge:
    (i) discharges from the United States military, naval, or marine service; and
    (ii) orders, citations, and decorations of honor relating to an individual while the individual was in the United States military, naval, or marine service; and
  (b) give, free of charge, certified copies of a record described in Subsection (1) to:
    (i) the individual who is the subject of the record; and
    (ii) a father, mother, brother, sister, or lineal descendant of the individual who is the subject of the record.
(2) A requesting individual may provide, and a county recorder may accept, an affidavit indicating how the requesting individual is a lineal descendant of the individual who is the subject of a requested record as sufficient proof of the relationship between the requesting individual and the individual who is the subject of the record.
(3) Certified copies of records kept by the county recorder may be read in evidence with the same effect as the original in an action or proceeding before a court, commission, or other tribunal in this state.

Amended by Chapter 105, 2026 General Session

17-71-504 Notice of significant private airports.

(1) As used in this section, "significant private airport" means the same as that term is defined in Section 72-10-102.
(2) If a county receives a notification described in Section 72-10-416, the county land use authority shall record with the county recorder and against any existing residential parcel within 2,500 feet of a runway of a significant private airport located within an unincorporated area within the boundary of the county a notice with the following language: "In accordance with Utah Code Section 17-71-504, notice is hereby given that the subject property is located within 2,500 feet of a runway of a significant airport that as of [INSERT THE DATE OF THE RECORDING] is known as [AIRPORT NAME] and is located at [INSERT THE ADDRESS OF THE SIGNIFICANT PRIVATE AIRPORT]. Said notice boundary more accurately described as [INSERT BOUNDARY LEGAL DESCRIPTION OF ALL PROPERTY WITHIN 2,500 FEET OF RUNWAY]."

Renumbered and Amended by Chapter 13, 2025 Special Session 1

Part 6
Uniform Real Property Electronic Recording Act

17-71-601 Definitions.

As used in this part:

(1) "Commission" means the Utah Electronic Recording Commission established in Section 17-21a-302.
(2) "Document" means information that is:
  (a) inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form; and
  (b) eligible to be recorded in the land records maintained by the county recorder.
(3) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.
(4) "Electronic document" means a document that is received by the county recorder in an electronic form.
(5) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a document and executed or adopted by a person with the intent to sign the document.
(6) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government, or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.
(7) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

Renumbered and Amended by Chapter 13, 2025 Special Session 1

17-71-602 Validity of electronic documents.

(1) If a law requires, as a condition for recording, that a document be an original, be on paper or another tangible medium, or be in writing, the requirement is satisfied by an electronic document satisfying this chapter.
(2) If a law requires, as a condition for recording, that a document be signed, the requirement is satisfied by an electronic signature.
(3)
  (a) A requirement that a document or a signature associated with a document be notarized, acknowledged, verified, witnessed, or made under oath is satisfied if the electronic signature of the person authorized to perform that act, and all other information required to be included, is attached to or logically associated with the document or signature.
  (b) A physical or electronic image of a stamp, impression, or seal need not accompany an electronic signature.

Renumbered and Amended by Chapter 13, 2025 Special Session 1

17-71-603 Recording of documents.

(1) As used in this section, "paper document" means a document that is received by the county recorder in a form that is not electronic.

(2) A county recorder:
- (a) may receive, index, store, archive, and transmit electronic documents;
- (b) may provide for access to, and for search and retrieval of, documents and information by electronic means;
- (c) who accepts electronic documents for recording shall continue to accept paper documents as authorized by state law and shall place entries for both types of documents in the same index;
- (d) may convert paper documents accepted for recording into electronic form;
- (e) may convert into electronic form information recorded before the county recorder began to record electronic documents;
- (f) may accept electronically any fee that the county recorder is authorized to collect; and
- (g) may agree with other officials of a state or a political subdivision thereof, or of the United States, on procedures or processes to facilitate the electronic satisfaction of prior approvals and conditions precedent to recording and the electronic payment of fees.

Renumbered and Amended by Chapter 13, 2025 Special Session 1

17-71-604 Uniformity of application and construction.

In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

Renumbered and Amended by Chapter 13, 2025 Special Session 1

17-71-605 Relation to Electronic Signatures in Global and National Commerce Act.

This part modifies, limits, and supersedes the federal Electronic Signatures in Global and National Commerce Act (15 U.S.C. Sec. 7001, et seq.) but does not modify, limit, or supersede Section 101(c) of that act (15 U.S.C. Sec. 7001(c)) or authorize electronic delivery of any of the notices described in Section 103(b) of that act (15 U.S.C. Sec. 7003(b)).

Renumbered and Amended by Chapter 13, 2025 Special Session 1