

Effective 10/1/2026

Part 2

Registration, Filings, And Penalties

42-2-201 Registration as a D.B.A.

- (1) To register as a D.B.A., a person shall file a D.B.A. certificate that complies with Subsection (2) with the division no later than 30 days after the day on which the entity begins to carry out, conduct, or transact the entity's business.
- (2) A D.B.A. certificate shall:
 - (a) state:
 - (i) the name of the D.B.A. that complies with Section 42-2-105;
 - (ii) the principal address under which the D.B.A. does business or will carry out, conduct, or transact business; and
 - (iii) the true name and street address of each person that owns the D.B.A.; and
 - (b) designate and maintain a registered agent in this state in accordance with Title 16, Chapter 1a, Part 4, Registered Agent of an Entity; and
 - (c) be signed by:
 - (i) each owner of the D.B.A.; or
 - (ii) an authorized representative for an owner of the D.B.A.
- (3) To register a general partnership as a D.B.A. if the general partnership is not registered with the division, the general partnership's partners shall each register as a D.B.A. in accordance with Subsection (1).
- (4) A person filing a D.B.A. certificate in accordance with Subsection (1) shall include in a conspicuous place on the face of the D.B.A. certificate a notice that states: NOTICE - THE FILING OF THIS APPLICATION AND THIS APPLICATION'S APPROVAL BY THE DIVISION OF CORPORATIONS AND COMMERCIAL CODE DOES NOT AUTHORIZE THE USE IN THE STATE OF UTAH OF AN ASSUMED NAME IN VIOLATION OF THE RIGHTS OF ANOTHER FEDERAL STATUTE, STATE STATUTE, OR COMMON LAW. (SEE UTAH CODE ANN. 42-2-201).
- (5) A registration statement filed in accordance with Subsection (1) is considered effective on the day on which the division:
 - (a) receives and approves, as to form, the registration statement; and
 - (b) marks on the face of the registration statement a stamp or seal that indicates:
 - (i) the time and date of approval;
 - (ii) the name of the division; and
 - (iii)
 - (A) the director's signature and division seal; or
 - (B) a facsimile of the director's signature and division seal.

Enacted by Chapter 93, 2026 General Session

42-2-202 Amending a D.B.A. certificate.

- (1) A D.B.A. may amend a D.B.A. certificate only while the D.B.A. is actively registered with the division as a D.B.A.
- (2) A D.B.A. may not amend an expired or canceled D.B.A. certificate.
- (3) A D.B.A. may amend any information contained in the D.B.A. certificate.
- (4) To amend a D.B.A. certificate, a D.B.A. shall file with the division an amendment that states:

- (a) the D.B.A. name; and
 - (b) the requested changes to the D.B.A. certificate.
- (5) The person or authorized representative of the D.B.A. shall sign the amendment described in Subsection (4).

Enacted by Chapter 93, 2026 General Session

42-2-203 Transfer of ownership of a D.B.A.

- (1) A D.B.A. may transfer ownership only while the D.B.A. is actively registered with the division as a D.B.A.
- (2) To transfer ownership of a D.B.A., the D.B.A. shall file a letter of transfer with the division that states:
- (a) the D.B.A. name;
 - (b) the true name and address of each current owner of the D.B.A.;
 - (c) the true name and address of each new owner of the D.B.A.; and
 - (d) the principal address of the D.B.A.'s place of business.
- (3) Except as otherwise provided in Section 16-1a-302, each current owner and each new owner shall sign the letter of transfer described in Subsection (2).

Enacted by Chapter 93, 2026 General Session

42-2-204 Expiration, renewal, and cancellation of registration.

- (1)
- (a) A D.B.A. registration is effective for three years after the day on which a person registers as a D.B.A.
 - (b) A D.B.A. may renew a D.B.A. registration beginning 60 days before the day on which the period described in Subsection (1)(a) expires.
 - (c) If a D.B.A. does not renew a D.B.A. registration before the end of the period described in Subsection (1)(a), the division shall send notice to the D.B.A.'s registered agent that the registration is expired.
 - (d) If the D.B.A. does not renew the D.B.A. registration within 30 days after the day on which the division sends the notice described in Subsection (1)(c):
 - (i) the D.B.A. registration is permanently expired; and
 - (ii) a person may immediately claim the D.B.A.'s name.
- (2) A D.B.A. may renew a D.B.A. registration by filing a statement of renewal that an authorized representative of the D.B.A. signs.
- (3)
- (a) A D.B.A. may update information contained in the D.B.A. certificate when renewing a D.B.A. registration.
 - (b) An update to a D.B.A. registration that a D.B.A. makes during renewal is considered an amendment.
 - (c) A D.B.A. shall comply with the requirements of Section 42-2-202 when making an update in accordance with this Subsection (3).
- (4) To cancel an active D.B.A. registration, the D.B.A. shall file a letter of cancellation with the division that:
- (a) states:
 - (i) the D.B.A. name;
 - (ii) the effective date of the cancellation;

- (iii) the mailing address for service of process after the cancellation; and
- (b) an authorized representative of the D.B.A. signs.

Enacted by Chapter 93, 2026 General Session

42-2-205 Penalties.

- (1) A person that carries on, conducts, or transacts business as a D.B.A. without complying with the provisions of this chapter may not bring an action in a court of this state as a D.B.A. until the person complies with the provisions of this chapter.
- (2) The director may impose a late filing fee that the director determines in an amount not to exceed three times the fee described in Section 42-2-103 in accordance with Section 63J-1-504.

Enacted by Chapter 93, 2026 General Session