

Effective 5/6/2026

57-1-1 Definitions.

As used in this title:

- (1) "Certified copy" means a duplicate of a document:
 - (a) certified by the document's custodian to be a true and correct copy of the document; or
 - (b) maintained under the authority of the United States, the state, a political subdivision of the state, another state, a court of record, a foreign government, or an Indian tribe.
- (2) "Document" means every instrument in writing, including every conveyance, affecting, purporting to affect, describing, or otherwise concerning any right, title, or interest in real property, except wills and leases for a term not exceeding one year.
- (3) "Indian tribe" means the same as that term is defined in Section 9-9-101.
- (4) "Person" means an individual, corporation, business trust, estate, trust, public entity, or any other legal or commercial entity.
- (5) "Public entity" means:
 - (a) the United States, including an agency of the United States;
 - (b) the state, including an agency or department of the state;
 - (c) a political subdivision, including a county, municipality, school district, special district, special service district, community reinvestment agency, or interlocal cooperation entity; or
 - (d) an Indian tribe.
- (6) "Public entity affidavit" means a notarized affidavit:
 - (a) signed by an authorized employee or officer of a public entity; and
 - (b) evidencing consent to a conveyance of real property by deed to the public entity.
- (7) "Real property" or "real estate" means any right, title, estate, or interest in land, including:
 - (a) all nonextracted minerals located in, on, or under the land;
 - (b) all buildings, fixtures and improvements on the land; and
 - (c) all water rights, rights-of-way, easements, rents, issues, profits, income, tenements, hereditaments, possessory rights, claims including mining claims, privileges, and appurtenances belonging to, used, or enjoyed with the land or any part of the land.
- (8) "Stigmatized" means:
 - (a) the site or suspected site of a homicide, other felony, or suicide;
 - (b) the dwelling place of an individual infected, or suspected of being infected, with the Human Immunodeficiency Virus, or any other infectious disease that the Department of Health and Human Services, created in Section 26B-1-201, determines cannot be transferred by occupancy of a dwelling place; or
 - (c) property that has been found to be contaminated, and that the local health department has subsequently found to have been decontaminated in accordance with Title 19, Chapter 6, Part 9, Illegal Drug Operations Site Reporting and Decontamination Act.

Amended by Chapter 77, 2026 General Session