

Part 11 Miscellaneous Provisions

75-7-1101 Uniformity of application and construction.

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

Enacted by Chapter 89, 2004 General Session

75-7-1102 Electronic records and signatures.

The provisions of this chapter governing the legal effect, validity, or enforceability of electronic records or electronic signatures, and of contracts formed or performed with the use of such records or signatures, conform to the requirements of Section 102 of the Electronic Signatures in Global and National Commerce Act (15 U.S.C. Sec. 7002) and supersede, modify, and limit the requirements of the Electronic Signatures in Global and National Commerce Act.

Enacted by Chapter 89, 2004 General Session

75-7-1103 Application to existing relationships.

- (1) Except as otherwise provided, this chapter applies to:
 - (a) all trusts created before, on, or after July 1, 2004;
 - (b) all judicial proceedings concerning trusts commenced on or after July 1, 2004; and
 - (c) judicial proceedings concerning trusts commenced before July 1, 2004 unless the court finds that application of a particular provision of this chapter would substantially interfere with the effective conduct of the judicial proceedings or prejudice the rights of the parties, in which case the particular provision of this chapter does not apply and the superseded section will apply.
- (2) Any rule of construction or presumption provided in this chapter applies to trust instruments executed before July 1, 2004 unless there is a clear indication of a contrary intent in the terms of the trust.
- (3) An act done before July 1, 2004 is not affected by this chapter.
- (4) If a right is acquired, extinguished, or barred upon the expiration of a prescribed period that has commenced to run under any other statute before July 1, 2004, that statute continues to apply to the right even if it has been repealed or superseded.

Enacted by Chapter 89, 2004 General Session