

28 others:

29 (a) by making a transfer to himself and another or others as joint tenants by use of the
30 words as provided in Subsection (2)(a); or

31 (b) by conveying to another person or persons an interest in land in which an interest is
32 retained by the grantor and by declaring the creation of a joint tenancy by use of the words as
33 provided in Subsection (2)(a).

34 (4) In all cases, the interest of joint tenants shall be equal and undivided.

35 (5) A "joint tenancy" is severed and is converted into a "tenancy in common" by a joint
36 tenant by making a bona fide conveyance of the joint tenant's interest in the property to himself
37 [~~and~~] or to another [~~which terminates the joint tenancy~~].

38 (6) [~~This act has~~] The amendments to this section in Chapter 124, Laws of Utah 1997 have
39 no retrospective operation and shall govern instruments executed and recorded on or after May 5,
40 1997.

41 **Section 2. Legislative intent and retrospective operation.**

42 (1) It is the intent of the Legislature that the amendments made by this act are merely
43 clarifying amendments that do not enlarge, eliminate, or destroy vested rights and therefore
44 retrospective operation is appropriate.

45 (2) This act has retrospective operation and shall govern instruments executed and
46 recorded on or after May 5, 1997.

Legislative Review Note
as of 12-26-01 9:58 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel