

EVICTION RECORDS AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Marsha Judkins

Senate Sponsor: Todd D. Weiler

LONG TITLE

General Description:

This bill modifies provisions related to the expungement of evictions.

Highlighted Provisions:

This bill:

- ▶ modifies the time period required before an automatic expungement of an eviction takes place; and
- ▶ corrects structural issues in the section.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

78B-6-852, as enacted by Laws of Utah 2022, Chapter 372

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **78B-6-852** is amended to read:

78B-6-852. Automatic expungement of eviction.

(1) [(a)] Without the filing of a petition, a court shall order expungement of all records of an eviction if:



28 ~~[(i)]~~ (a) (i) the entire case was dismissed;
29 (ii) there is no appeal pending for the case; and
30 (iii) at least ~~[three years]~~ 90 days have passed from the day on which the eviction was
31 filed; or

32 (b) the parties to the eviction stipulated to expungement and have filed a stipulation
33 with the court.

34 (2) The court shall issue an order of expungement when the court determines that an
35 eviction qualifies for automatic expungement under Subsection (1).

36 ~~[(3) This section applies to evictions filed on or after July 1, 2022.]~~

37 Section 2. **Effective date.**

38 This bill takes effect on May 1, 2024.