

HB0321S02 compared with HB0321S01

~~deleted text~~ shows text that was in HB0321S01 but was deleted in HB0321S02.

inserted text shows text that was not in HB0321S01 but was inserted into HB0321S02.

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Representative Marsha Judkins proposes the following substitute bill:

EVICTION RECORDS AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Marsha Judkins

Senate Sponsor: _____

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:

HB0321S02 compared with HB0321S01

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:

~~[(+)]~~ (a) (i) the entire case was dismissed;

(ii) there is no appeal pending for the case; and

(iii) at least ~~[three years]~~ 90 days have passed from the day on which the eviction was ~~[filed]~~ dismissed; or

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

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

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

Section 2. **Effective date.**

This bill takes effect on May 1, 2024.