

1                                   **JUSTICE COURT JURISDICTION AMENDMENTS**

2   2020 GENERAL SESSION

3   STATE OF UTAH

4                                   **Chief Sponsor: Keven J. Stratton**

5                                   Senate Sponsor: \_\_\_\_\_

---

6  
7   **LONG TITLE**

8   **General Description:**

9           This bill amends a provision relating to the territorial jurisdiction of a justice court.

10   **Highlighted Provisions:**

11           This bill:

12           ▸ for certain limited circumstances, extends the jurisdiction of a county justice court  
13 to a city, within the county, where a municipal justice court exists.

14   **Money Appropriated in this Bill:**

15           None

16   **Other Special Clauses:**

17           None

18   **Utah Code Sections Affected:**

19   AMENDS:

20           **78A-7-105**, as last amended by Laws of Utah 2014, Chapter 151

---

21  
22   *Be it enacted by the Legislature of the state of Utah:*

23           Section 1. Section **78A-7-105** is amended to read:

24           **78A-7-105. Territorial jurisdiction -- Voting.**

25           (1) (a) The territorial jurisdiction of county justice courts extends to the limits of the  
26 precinct for which the justice court is created and includes all cities or towns within the  
27 precinct, [~~except~~] other than cities where a municipal justice court exists.



28           **(b) Notwithstanding Subsection (1)(a), the territorial jurisdiction of a county justice**  
29 **court extends to cities, within the precinct, where a municipal justice court exists for cases that**  
30 **could have been charged as a class A misdemeanor or a felony, but are charged by a county or**  
31 **district attorney as a class B or class C misdemeanor.**

32           (2) The territorial jurisdiction of municipal justice courts extends to the corporate  
33 limits of the municipality in which the justice court is created.

34           (3) Justice court judges have the same authority regarding matters within their  
35 jurisdiction as judges of courts of record.

36           (4) A justice court may issue all extraordinary writs and other writs as necessary to  
37 carry into effect its orders, judgments, and decrees.

38           (5) (a) Except as provided in this Subsection (5), a judgment rendered in a justice court  
39 does not create a lien upon any real property of the judgment debtor unless the judgment or  
40 abstract of the judgment:

41               (i) is recorded in the office of the county recorder of the county in which the real  
42 property of the judgment debtor is located; and

43               (ii) contains the information identifying the judgment debtor in the judgment or  
44 abstract of judgment as required in Subsection 78B-5-201(4)(b) or as a separate information  
45 statement of the judgment creditor as required in Subsection 78B-5-201(5).

46           (b) The lien runs for eight years from the date the judgment was entered in the district  
47 court under Section 78B-5-202 unless the judgment is earlier satisfied.

48           (c) State agencies are exempt from the recording requirement of Subsection (5)(a).