

1 **CONSUMER CREDIT PROTECTION ACT**

2 **MODIFICATION**

3 2009 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Julie Fisher**

6 Senate Sponsor: Gregory S. Bell

8 **LONG TITLE**

9 **General Description:**

10 This bill changes the title of Title 13, Chapter 44, from the "Consumer Credit
11 Protection Act," to the "Protection of Personal Information Act."

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ changes the title of Title 13, Chapter 44, from the "Consumer Credit Protection
15 Act," to the "Protection of Personal Information Act"; and
- 16 ▶ makes technical corrections.

17 **Monies Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 **AMENDS:**

23 **13-44-101**, as enacted by Laws of Utah 2006, Chapter 343

24 **76-10-922**, as last amended by Laws of Utah 2008, Chapter 29

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

27 Section 1. Section **13-44-101** is amended to read:



28 **CHAPTER 44. PROTECTION OF PERSONAL INFORMATION ACT**

29 **13-44-101. Title.**

30 This chapter is known as the [~~"Consumer Credit Protection Act."~~] "Protection of
31 Personal Information Act."

32 Section 2. Section **76-10-922** is amended to read:

33 **76-10-922. Attorney General Litigation Fund.**

34 (1) (a) There is created a special revenue fund known as the Attorney General
35 Litigation Fund for the purpose of providing funds to pay for any costs and expenses incurred
36 by the state attorney general in relation to actions under state or federal antitrust, criminal laws,
37 or civil proceedings under Title 13, Chapter 44, [~~Consumer Credit Protection Act~~] Protection
38 of Personal Information Act. These funds are in addition to other funds as may be appropriated
39 by the Legislature to the attorney general for the administration and enforcement of the laws of
40 this state.

41 (b) At the close of any fiscal year, any balance in the fund in excess of \$2,000,000 shall
42 be transferred to the General Fund.

43 (c) The attorney general may expend monies from the Attorney General Litigation
44 Fund for the purposes in Subsection (1)(a).

45 (2) (a) All monies received by the state or its agencies by reason of any judgment,
46 settlement, or compromise as the result of any action commenced, investigated, or prosecuted
47 by the attorney general, after payment of any fines, restitution, payments, costs, or fees
48 allocated by the court, shall be deposited in the Attorney General Litigation Fund, except as
49 provided in Subsection (2)(b).

50 (b) (i) Any expenses advanced by the attorney general in any of the actions under
51 Subsection (1)(a) shall be credited to the Attorney General Litigation Fund.

52 (ii) Any monies recovered by the attorney general on behalf of any private person or
53 public body other than the state shall be paid to those persons or bodies from funds remaining
54 after payment of expenses under Subsection (2)(b)(i).

55 (3) The Division of Finance shall transfer any monies remaining in the Antitrust
56 Revolving Account on July 1, 2002, to the Attorney General Litigation Fund created in
57 Subsection (1).

Legislative Review Note
as of 12-30-08 12:35 PM

Office of Legislative Research and General Counsel

H.B. 234 - Consumer Credit Protection Act Modification

Fiscal Note

2009 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
