

**AWARDING OF ATTORNEY FEES**

2009 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Stephen H. Urquhart**

House Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill limits when a court may award attorney fees.

**Highlighted Provisions:**

This bill:

- ▶ provides that attorney fees may only be awarded if there is statutory authority to do

so.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**78B-5-825.5**, Utah Code Annotated 1953

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

Section 1. Section **78B-5-825.5** is enacted to read:

**78B-5-825.5. Attorney fees -- Award prohibited unless specifically allowed by statute.**

A court may not award attorney fees in a civil action unless there is a statute that permits the award of attorney fees in the action under consideration.



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**Legislative Review Note**  
**as of 1-27-09 12:53 PM**

**Office of Legislative Research and General Counsel**

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**S.B. 53 - Awarding of Attorney Fees**

**Fiscal Note**

2009 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill may impact individuals, businesses, or local governments that may have been awarded attorney fees that otherwise were not specified in statute.

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