

Senator Stephen H. Urquhart proposes the following substitute bill:

AWARDING OF ATTORNEY FEES

2009 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephen H. Urquhart

House Sponsor: Brad L. Dee

LONG TITLE

General Description:

This bill limits when a court may award attorney fees.

Highlighted Provisions:

This bill:

- ▶ provides that attorney fees may not be awarded under the private attorney general doctrine.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

78B-5-825.5, Utah Code Annotated 1953

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 -- Private attorney general doctrine disavowed.

A court may not award attorney fees under the private attorney general doctrine as



26 stated in Stewart v. Utah Public Service Commission, 885 P.2d 759 (1994), and its progeny.

S.B. 53 1st Sub. (Green) - Awarding of Attorney Fees

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