

FAMILY EXPENSES AMENDMENTS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephen E. Sandstrom

Senate Sponsor: _____

LONG TITLE

General Description:

This bill allows for a creditor to collect from either a husband or wife or both for debts incurred during the marriage.

Highlighted Provisions:

This bill:

► provides that a creditor may collect a debt from either spouse when the debt was incurred during the marriage.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

REPEALS AND REENACTS:

30-2-9, as last amended by Laws of Utah 2011, Chapter 109

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

Section 1. Section **30-2-9** is repealed and reenacted to read:

30-2-9. Family expenses -- Joint and several liability.

(1) A husband and wife may be sued jointly or individually for expenses of the family and education of the children.



28 (2) A creditor shall be entitled to recover from either the husband or wife, or both, for
29 the payment of a family expense when there is a written contract signed by either spouse that
30 allows for the recovery of:

31 (a) collection costs;

32 (b) interest;

33 (c) court costs; and

34 (d) attorney fees.

35 (3) This section shall be applied to all contracts that were entered into by either spouse
36 during the marriage.

Legislative Review Note
as of 2-10-12 12:10 PM

Office of Legislative Research and General Counsel