

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 \hat{S} → [as ← \hat{S}



26 ~~§→ stated in Stewart v. Utah Public Service Commission, 885 P.2d 759 (1994), and its progeny] in any~~
26a action filed after May 12, 2009 ←§ .

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.
