

FAMILY EXPENSE AMENDMENTS

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephen E. Sandstrom

Senate Sponsor: Allen M. Christensen

LONG TITLE

General Description:

This bill amends the family expense statute to allow a creditor to collect reasonable collection costs and attorney fees.

Highlighted Provisions:

This bill:

▶ allows a creditor to collect reasonable collection costs and attorney fees incurred in collecting a debt under the family expense statute.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

30-2-9, Utah Code Annotated 1953

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

Section 1. Section **30-2-9** is amended to read:

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

(1) The expenses of the family and the education of the children are chargeable upon the property of both husband and wife or of either of them, and in relation thereto they may be



28 sued jointly or separately.

29 (2) In an action by a creditor against either husband or wife for the payment of a family
30 expense, the creditor shall be entitled to recover reasonable collection costs and attorney fees.

Legislative Review Note
as of 2-1-11 1:31 PM

Office of Legislative Research and General Counsel

FISCAL NOTE

H.B. 334

SHORT TITLE: Family Expense Amendments

SPONSOR: Sandstrom, S.

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill will cost the Courts \$53,900 ongoing from the General Fund for additional debt collection cases beginning in FY 2012. The bill will also increase Court filing fees deposited in the General Fund by \$60,100.

STATE BUDGET DETAIL TABLE

	FY 2011	FY 2012	FY 2013
Revenue:			
General Fund	\$0	\$60,100	\$60,100
Total Revenue	\$0	\$60,100	\$60,100
Expenditure:			
General Fund	\$0	\$53,900	\$53,900
Total Expenditure	\$0	\$53,900	\$53,900
Net Impact, All Funds (Rev.-Exp.)	\$0	\$6,200	\$6,200
Net Impact, General/Education Funds	\$0	\$6,200	\$6,200

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Those involved in a debt collection case would be subject to a court filing fee averaging \$78.