

Representative Johnny Anderson proposes the following substitute bill:

FAMILY EXPENSES AMENDMENTS

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Johnny Anderson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill allows 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 for a family expense or the education of ~~H~~→ [the] their minor ←~~H~~ children.

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 Section **30-2-9** is repealed and reenacted to read: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



26 (1) Both the husband and wife, or either of them separately, are responsible for ~~H~~→ [the]
26a reasonable and necessary ~~←H~~
27 expenses of the family and the education of ~~H~~→ [the] their minor ~~←H~~ children, and they may be
27a sued jointly or
28 separately for the recovery of ~~H~~→ [any] reasonable and necessary ~~←H~~ expenses related to the
28a family or the education of ~~H~~→ [the] their minor ~~←H~~
29 children.

30 (2) For the expenses described in Subsection (1), the creditor shall be entitled to
31 recover against the husband and wife, jointly and severally, all amounts provided for in a
32 written contract signed by either the husband or wife, or as otherwise provided by law.

33 (3) Subsection (2) applies to all contracts under this section entered into by either
34 spouse any time the parties are married and living together as husband and wife.