

HB0080S01 compared with HB0080

~~deleted text~~ shows text that was in HB0080 but was deleted in HB0080S01.

inserted text shows text that was not in HB0080 but was inserted into HB0080S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

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 the children.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

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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 Section **30-2-9** is repealed and reenacted to read: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}~~ Both the husband and wife ~~{ may be jointly }, or { individually } either of them~~ separately, are responsible for the expenses of the family ~~{ members for reasonable and necessary medical and dental expenses, and other necessities, including }~~ and the education of the ~~{ minor } children, and they may be sued jointly or separately for the recovery of any~~ expenses related to the family or the education of the children.

(2) ~~{ In addition to }~~ For the expenses described in Subsection (1), ~~{ a }~~ the creditor shall be entitled to recover ~~{ from }~~ against the husband and wife, jointly and severally, ~~{ the following additional }~~ all amounts ~~{ if the amounts are }~~ provided for in a written contract signed by either the husband or wife ~~{ :~~

~~—— (a) a collection fee;~~

~~—— (b) interest at the rate specified in the contract;~~

~~—— (c) court costs;~~

~~—— (d) reasonable attorney fees; and~~

~~—— (e) any other amounts provided for in the contract.~~

~~(3) Unless the court determines that it would work an injustice, } ,~~ or as otherwise provided by law.

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

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Legislative Review Note

~~—— as of 12-18-12 9:31 AM~~

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~~Office of Legislative Research and General Counsel}~~