

CRIMINAL JUDGMENT ACCOUNT RECEIVABLE

AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Elizabeth Weight

Senate Sponsor: _____

LONG TITLE

General Description:

This bill requires the court to wait 30 days before considering a criminal judgment account receivable unpaid.

Highlighted Provisions:

This bill:

► requires the court to wait 30 days before converting an unpaid criminal judgment account receivable to a civil judgment.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

77-32a-102, as enacted by Laws of Utah 2017, Chapter 304

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

Section 1. Section **77-32a-102** is amended to read:

77-32a-102. Creation of criminal judgment account receivable.

(1) At the time of sentencing or acceptance of a plea in abeyance, the court shall



28 establish the criminal accounts receivable, as determined in this chapter including all amounts
29 then owing, including, as applicable, fines, fees, surcharges, costs, restitution, and interest.

30 (2) After creating the account receivable, the court:

31 (a) shall, in the case of felonies where a prison sentence is imposed and not suspended,
32 if the judgment remains unpaid after 30 days, enter any unpaid criminal judgment account
33 receivable as a civil judgment and transfer the responsibility for collecting the judgment to the
34 Office of State Debt Collection;

35 (b) may, in other cases, permit a defendant to pay the criminal judgment account
36 receivable by a date certain or in installments; or

37 (c) may, in other cases where the court finds that collection of the account by the court
38 would not be feasible, enter any unpaid criminal judgment account receivable as a civil
39 judgment and transfer the responsibility for collecting the ~~[judgement]~~ judgment to the Office
40 of State Debt Collection.

41 (3) A court allowing installment payments does not limit the ability of a judgment
42 creditor to pursue collection by any means allowable by law.

43 (4) If the court makes restitution or another financial decision at a time after sentencing
44 that increases the total amount owed in a case, the criminal accounts receivable balance shall
45 be adjusted to include the new amounts determined by the court.

46 (5) The court may modify the amount and number of any installment payments, as
47 justice requires, at any time before the time for default as outlined in Subsection
48 [77-32a-103\(2\)](#).

49 (6) In the district court, delinquent accounts may incur post judgment interest.

Legislative Review Note
Office of Legislative Research and General Counsel