

HB0273S01 compared with HB0273

~~{deleted text}~~ shows text that was in HB0273 but was deleted in HB0273S01.

Inserted text shows text that was not in HB0273 but was inserted into HB0273S01.

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 Elizabeth Weight proposes the following substitute bill:

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}~~ accept payment of a criminal judgment account receivable ~~{unpaid}~~ on the day of sentencing.

Highlighted Provisions:

This bill:

- ▶ requires the court to ~~{wait 30 days before converting an unpaid}~~ accept any amount tendered against a criminal judgment account receivable on the day of sentencing before converting an unpaid account to a civil judgment.

Money Appropriated in this Bill:

None

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

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

(a) shall, ~~[in the case of felonies where]~~ when a prison sentence is imposed and not suspended, ~~[if the judgment remains unpaid after 30 days, enter any]~~ accept any payment on the criminal judgment account receivable tendered on the date of sentencing, enter any remaining unpaid criminal judgment account receivable as a civil judgment and transfer the responsibility for collecting the judgment to the Office of State Debt Collection;

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

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

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

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

(5) The court may modify the amount and number of any installment payments, as justice requires, at any time before the time for default as outlined in Subsection

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77-32a-103(2).

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

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Legislative Review Note

Office of Legislative Research and General Counsel†