

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 sued jointly or separately.

(2) In an action by a creditor against either husband or wife for the payment of a family

30 expense, the creditor or debtor as the prevailing party shall be entitled to recover reasonable
31 collection costs, interest, and attorney fees as provided in a contract between the creditor and
32 debtor.