

FAMILY EXPENSES AMENDMENTS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephen E. Sandstrom

Senate Sponsor: _____

LONG TITLE

General Description:

This bill allows for 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.

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 Section **30-2-9** is repealed and reenacted to read: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

(1) A husband and wife may be sued jointly or individually for expenses of the family and education of the children.



28 (2) ~~H→~~ ~~[A]~~ In addition to the expenses of the family and education of the
 28a children, a ←H creditor shall be entitled to recover from H→ [either] ←H the husband
 28b H→ [or] and ←H wife, H→ [or both, for
 29 the payment of a family expense when there is a written contract signed by either spouse that
 30 allows for the recovery of] jointly and severally, the following additional amounts if the
 30a amounts are provided for in a written contract signed by either the husband or wife ←H :
 31 (a) ~~H→~~ a ←H collection H→ [costs] fee as provided in Section 12-1-11 ←H ;
 32 (b) interest H→ at the rate specified in the contract ←H ;
 33 (c) court costs; H→ [and] ←H
 34 (d) ~~H→~~ reasonable ←H attorney fees H→ ; and
 34a (e) any other amounts provided for in the contract ←H .
 35 (3) This section shall be applied to all contracts that were entered into by either spouse
 36 during the marriage.

Legislative Review Note
 as of 2-10-12 12:10 PM

Office of Legislative Research and General Counsel