

**FAMILY EXPENSES AMENDMENTS**

2013 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Johnny Anderson**

Senate Sponsor: \_\_\_\_\_

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**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.

**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

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*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 Section **30-2-9** is repealed and reenacted to read: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 jointly or individually responsible for expenses of the family members for reasonable and necessary medical and dental expenses, and other



28 necessities, including education of the minor children.

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

32 (a) a collection fee;

33 (b) interest at the rate specified in the contract;

34 (c) court costs;

35 (d) reasonable attorney fees; and

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

37 (3) Unless the court determines that it would work an injustice, Subsection (2) applies  
38 to all contracts under this section entered into by either spouse any time the parties are married  
39 and living together as husband and wife.

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**Legislative Review Note**  
**as of 12-18-12 9:31 AM**

**Office of Legislative Research and General Counsel**