	MEDICAL EXPENSE LIABILITY AMENDMENTS
	2023 GENERAL SESSION
	STATE OF UTAH
	Chief Sponsor: Stephanie Pitcher
	House Sponsor:
LO	NG TITLE
Gei	neral Description:
	This bill exempts a spouse's medical expenses from being considered a family expense.
Hig	ghlighted Provisions:
	This bill:
	<ul><li>defines terms;</li></ul>
	<ul> <li>exempts a deceased spouse's medical expenses from being considered a family</li> </ul>
exp	ense; and
	<ul> <li>makes technical changes.</li> </ul>
Mo	ney Appropriated in this Bill:
	None
Otł	ner Special Clauses:
	None
Uta	ah Code Sections Affected:
AM	IENDS:
	30-2-9, as last amended by Laws of Utah 2015, Chapter 457
Be	it enacted by the Legislature of the state of Utah:
	Section 1. Section <b>30-2-9</b> 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



28	the property of both spouses or of either of them separately, for which expenses they may be
29	sued jointly or separately.]
30	(1) As used in this section:
31	(a) "Family expense" means an expense that benefits and promotes the family unit.
32	(b) "Family expense" does not include a medical expense, as defined in Section
33	78B-12-102, arising from a deceased spouse's health care treatment.
34	(2) (a) A family expense or a child education expense is chargeable upon the property
35	of:
36	(i) both spouses; or
37	(ii) either of the spouses separately.
38	(b) A spouse may be sued jointly or separately for an expense described in Subsection
39	<u>(2)(a).</u>
40	[(2)] (3) For [the expenses] an expense described in Subsection [(1)] (2)(a), where
41	there is a written agreement signed by either spouse that allows for the recovery of agreed upon
42	amounts, a creditor or an assignee or successor in interest of the creditor is entitled to recover
43	the contractually allowed amounts against both spouses, jointly and severally.
44	[(3)] (4) Subsection $[(2)]$ (3) applies to all contracts and agreements under this section
45	entered into by either spouse during the time the parties are married and living together.
46	[(4)] (5) [For the purposes of this section, family expenses are considered expenses
47	incurred that benefit and promote the family unit.] Items purchased pursuant to a written
48	contract or agreement during the marriage that do not relate to family expenses are not covered
49	by this section.
50	$[\underbrace{(5)}]$ (6) The provisions of Subsections $[\underbrace{(2)}]$ (3) and $[\underbrace{(3)}]$ (4) do not create a right to
51	attorney's fees or collection fees as to the nonsigning spouse for purchases of:
52	(a) food or clothing; or
53	(b) home improvements or repairs over \$5,000.