

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 2485**

58th Legislature  
2004 Regular Session

Passed by the House March 10, 2004  
Yeas 70 Nays 27

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**Speaker of the House of Representatives**

Passed by the Senate March 5, 2004  
Yeas 43 Nays 3

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2485** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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HOUSE BILL 2485

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AS AMENDED BY THE SENATE

Passed Legislature - 2004 Regular Session

State of Washington                      58th Legislature                      2004 Regular Session

By Representatives Lantz, Carrell, Newhouse, Alexander, Jarrett, Moeller, Sommers, Kagi, Upthegrove, Schual-Berke and Darneille

Read first time 01/15/2004. Referred to Committee on Judiciary.

1            AN ACT Relating to postjudgment interest on tort judgments;  
2 amending RCW 4.56.115, 4.56.110, and 19.52.025; and creating a new  
3 section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            **Sec. 1.** RCW 4.56.115 and 1983 c 147 s 2 are each amended to read  
6 as follows:

7            Judgments founded on the tortious conduct of the state of  
8 Washington or of the political subdivisions, municipal corporations,  
9 and quasi municipal corporations of the state, whether acting in their  
10 governmental or proprietary capacities, shall bear interest from the  
11 date of entry at two percentage points above the (~~maximum rate~~  
12 ~~permitted under RCW 19.52.020 on~~) equivalent coupon issue yield (as  
13 published by the board of governors of the federal reserve system) of  
14 the average bill rate for twenty-six week treasury bills as determined  
15 at the first bill market auction conducted during the calendar month  
16 immediately preceding the date of entry thereof(~~(+ PROVIDED, That)~~).  
17 In any case where a court is directed on review to enter judgment on a  
18 verdict or in any case where a judgment entered on a verdict is wholly

1 or partly affirmed on review, interest on the judgment or on that  
2 portion of the judgment affirmed shall date back to and shall accrue  
3 from the date the verdict was rendered.

4 **Sec. 2.** RCW 4.56.110 and 1989 c 360 s 19 are each amended to read  
5 as follows:

6 Interest on judgments shall accrue as follows:

7 (1) Judgments founded on written contracts, providing for the  
8 payment of interest until paid at a specified rate, shall bear interest  
9 at the rate specified in the contracts: PROVIDED, That said interest  
10 rate is set forth in the judgment.

11 (2) All judgments for unpaid child support that have accrued under  
12 a superior court order or an order entered under the administrative  
13 procedure act shall bear interest at the rate of twelve percent.

14 (3) Judgments founded on the tortious conduct of individuals or  
15 other entities, whether acting in their personal or representative  
16 capacities, shall bear interest from the date of entry at two  
17 percentage points above the equivalent coupon issue yield, as published  
18 by the board of governors of the federal reserve system, of the average  
19 bill rate for twenty-six week treasury bills as determined at the first  
20 bill market auction conducted during the calendar month immediately  
21 preceding the date of entry. In any case where a court is directed on  
22 review to enter judgment on a verdict or in any case where a judgment  
23 entered on a verdict is wholly or partly affirmed on review, interest  
24 on the judgment or on that portion of the judgment affirmed shall date  
25 back to and shall accrue from the date the verdict was rendered.

26 (4) Except as provided under subsections (1) (~~and~~), (2), and (3)  
27 of this section, judgments shall bear interest from the date of entry  
28 at the maximum rate permitted under RCW 19.52.020 on the date of entry  
29 thereof(~~(: PROVIDED, That)~~). In any case where a court is directed on  
30 review to enter judgment on a verdict or in any case where a judgment  
31 entered on a verdict is wholly or partly affirmed on review, interest  
32 on the judgment or on that portion of the judgment affirmed shall date  
33 back to and shall accrue from the date the verdict was rendered. The  
34 method for determining an interest rate prescribed by this subsection  
35 is also the method for determining the "rate applicable to civil  
36 judgments" for purposes of RCW 10.82.090.

1        NEW SECTION.    **Sec. 3.**    The rate of interest required by sections 1  
2 and 2(3), chapter . . ., Laws of 2004 (sections 1 and 2(3) of this act)  
3 applies to the accrual of interest:

4        (1) As of the date of entry of judgment with respect to a judgment  
5 that is entered on or after the effective date of this act;

6        (2) As of the effective date of this act with respect to a judgment  
7 that was entered before the effective date of this act and that is  
8 still accruing interest on the effective date of this act.

9        **Sec. 4.**    RCW 19.52.025 and 1986 c 60 s 1 are each amended to read  
10 as follows:

11        Each month the state treasurer shall compute the highest rate of  
12 interest permissible under RCW 19.52.020(1), and the rate of interest  
13 required by RCW 4.56.110(3) and 4.56.115, for the succeeding calendar  
14 month.    The treasurer shall file (~~this rate~~) these rates with the  
15 state code reviser for publication in the next available issue of the  
16 Washington State Register in compliance with RCW 34.08.020(8).

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