

**E2SSB 5155** - H COMM AMD

By Committee on Appropriations

1 Strike everything after the enacting clause and insert the  
2 following:

3 **"Sec. 1.** RCW 4.56.110 and 2019 c 371 s 1 are each amended to  
4 read as follows:

5 Interest on judgments shall accrue as follows:

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

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

14 (3) (a) ~~((Judgments))~~ (i) Except as otherwise provided in this  
15 subsection (3), judgments founded on the tortious conduct of a  
16 "public agency" as defined in RCW 42.30.020 shall bear interest from  
17 the date ~~((of entry))~~ the cause of action accrued at two percentage  
18 points above the equivalent coupon issue yield, as published by the  
19 board of governors of the federal reserve system, of the average bill  
20 rate for twenty-six week treasury bills as determined at the first  
21 bill market auction conducted during the calendar month immediately  
22 preceding the date of entry. ~~((In any case where a court is directed~~  
23 ~~on review to enter judgment on a verdict or in any case where a~~  
24 ~~judgment entered on a verdict is wholly or partly affirmed on review,~~  
25 ~~interest on the judgment or on that portion of the judgment affirmed~~  
26 ~~shall date back to and shall accrue from the date the verdict was~~  
27 ~~rendered.))~~

28 (ii) Judgments founded on tortious conduct that occurred while  
29 the plaintiff was a minor shall bear interest at the same rate as in  
30 (a)(i) of this subsection (3) from the date the action is commenced  
31 or the date the minor attains the age of eighteen years, whichever is  
32 earlier.

1 (b) (i) Except as otherwise provided in (~~(a) or (f)~~) this subsection  
2 (3), judgments founded on the tortious conduct of individuals or  
3 other entities that are not a "public agency" as defined in RCW  
4 42.30.020, whether acting in their personal or representative  
5 capacities, shall bear interest from the date (~~of entry~~) the cause  
6 of action accrued at two percentage points above the prime rate, as  
7 published by the board of governors of the federal reserve system on  
8 the first business day of the calendar month immediately preceding  
9 the date of entry. (~~In any case where a court is directed on review~~  
10 ~~to enter judgment on a verdict or in any case where a judgment~~  
11 ~~entered on a verdict is wholly or partly affirmed on review, interest~~  
12 ~~on the judgment or on that portion of the judgment affirmed shall~~  
13 ~~date back to and shall accrue from the date the verdict was~~  
14 ~~rendered.))~~)

15 (ii) Judgments founded on tortious conduct that occurred while  
16 the plaintiff was a minor shall bear interest at the same rate as in  
17 (b) (i) of this subsection (3) from the date the action is commenced  
18 or the date the minor attains the age of eighteen years, whichever is  
19 earlier.

20 (c) For judgments pursuant to (a) and (b) of this subsection (3),  
21 any interest incurred prior to the date the judgment is entered  
22 applies only to arbitration awards and judgments entered following  
23 trial of the matter. All other judgments founded on tortious conduct  
24 bear interest from the date of entry.

25 (4) Except as provided under subsection (1) of this section,  
26 judgments for unpaid private student loan debt, as defined in RCW  
27 6.01.060, shall bear interest from the date of entry at two  
28 percentage points above the prime rate, as published by the board of  
29 governors of the federal reserve system on the first business day of  
30 the calendar month immediately preceding the date of entry.

31 (5) Except as provided under subsection (1) of this section,  
32 judgments for unpaid consumer debt, as defined in RCW 6.01.060, shall  
33 bear interest from the date of entry at a rate of nine percent.

34 (6) Except as provided under subsections (1) through (5) of this  
35 section, judgments shall bear interest from the date of entry at the  
36 maximum rate permitted under RCW 19.52.020 on the date of entry  
37 thereof. In any case where a court is directed on review to enter  
38 judgment on a verdict or in any case where a judgment entered on a  
39 verdict is wholly or partly affirmed on review, interest on the  
40 judgment or on that portion of the judgment affirmed shall date back

1 to and shall accrue from the date the verdict was rendered. The  
2 method for determining an interest rate prescribed by this subsection  
3 is also the method for determining the "rate applicable to civil  
4 judgments" for purposes of RCW 10.82.090.

5 NEW SECTION. **Sec. 2.** RCW 4.56.111 (Interest on judgments—Rate)  
6 and 2010 c 149 s 2 are each repealed."

7 Correct the title.

EFFECT: (1) Applies prejudgment interest to judgments founded on  
the tortious conduct of public agencies;

(2) Removes exemption from prejudgment interest for medical  
malpractice claims and thereby applies prejudgment interest to all  
judgments founded on the tortious conduct of individuals and other  
entities; and

(3) Provides that judgments founded on tortious conduct that  
occurred while the plaintiff was a minor bear interest from the date  
the action is commenced or the date the minor turns 18 years of age,  
whichever is earlier.

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