
SENATE BILL 5155

State of Washington

67th Legislature

2021 Regular Session

By Senators Kuderer, Wellman, Das, and Pedersen

Read first time 01/12/21. Referred to Committee on Law & Justice.

1 AN ACT Relating to prejudgment interest; and amending RCW
2 4.56.110.

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

4 **Sec. 1.** RCW 4.56.110 and 2019 c 371 s 1 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
9 interest at the rate specified in the contracts: PROVIDED, That said
10 interest rate is set forth in the judgment.

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

15 (3) (a) Judgments founded on the tortious conduct of a "public
16 agency" as defined in RCW 42.30.020 shall bear interest from the date
17 (~~of entry~~) the cause of action accrued at two percentage points
18 above the equivalent coupon issue yield, as published by the board of
19 governors of the federal reserve system, of the average bill rate for
20 twenty-six week treasury bills as determined at the first bill market
21 auction conducted during the calendar month immediately preceding the

1 date of entry. (~~In any case where a court is directed on review to~~
2 ~~enter judgment on a verdict or in any case where a judgment entered~~
3 ~~on a verdict is wholly or partly affirmed on review, interest on the~~
4 ~~judgment or on that portion of the judgment affirmed shall date back~~
5 ~~to and shall accrue from the date the verdict was rendered.))~~

6 (b) Except as provided in (a) of this subsection, judgments
7 founded on the tortious conduct of individuals or other entities,
8 whether acting in their personal or representative capacities, shall
9 bear interest from the date (~~of entry~~) the cause of action accrued
10 at two percentage points above the prime rate, as published by the
11 board of governors of the federal reserve system on the first
12 business day of the calendar month immediately preceding the date of
13 entry. (~~In any case where a court is directed on review to enter~~
14 ~~judgment on a verdict or in any case where a judgment entered on a~~
15 ~~verdict is wholly or partly affirmed on review, interest on the~~
16 ~~judgment or on that portion of the judgment affirmed shall date back~~
17 ~~to and shall accrue from the date the verdict was rendered.))~~

18 (4) (a) Subsection (3) of this section does not apply to medical
19 malpractice claims. In any medical malpractice action filed after the
20 effective date of this section in which a verdict is rendered or a
21 decision is made for monetary damages, interest shall accrue at the
22 rate of two percentage points above the prime rate from the date of
23 written notice of the claim by the claimant or his or her
24 representative to the malpractice liability insurer or the health
25 care provider, or the filing of the civil action, whichever first
26 occurs.

27 (b) "Medical malpractice" means an actual or alleged negligent
28 act, error, or omission in providing or failing to provide health
29 care services that is actionable under chapter 7.70 RCW.

30 (5) Except as provided under subsection (1) of this section,
31 judgments for unpaid private student loan debt, as defined in RCW
32 6.01.060, shall bear interest from the date of entry at two
33 percentage points above the prime rate, as published by the board of
34 governors of the federal reserve system on the first business day of
35 the calendar month immediately preceding the date of entry.

36 (~~(+5)~~) (6) Except as provided under subsection (1) of this
37 section, judgments for unpaid consumer debt, as defined in RCW
38 6.01.060, shall bear interest from the date of entry at a rate of
39 nine percent.

1 (~~(6)~~) (7) Except as provided under subsections (1) through
2 (~~(5)~~) (6) of this section, judgments shall bear interest from the
3 date of entry at the maximum rate permitted under RCW 19.52.020 on
4 the date of entry thereof. In any case where a court is directed on
5 review to enter judgment on a verdict or in any case where a judgment
6 entered on a verdict is wholly or partly affirmed on review, interest
7 on the judgment or on that portion of the judgment affirmed shall
8 date back to and shall accrue from the date the verdict was rendered.
9 The method for determining an interest rate prescribed by this
10 subsection is also the method for determining the "rate applicable to
11 civil judgments" for purposes of RCW 10.82.090.

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