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HOUSE BILL 1649

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State of Washington

68th Legislature

2023 Regular Session

By Representatives Hackney, Berry, Taylor, Stonier, Pollet, Macri,  
and Fosse

Read first time 01/27/23. Referred to Committee on Civil Rights &  
Judiciary.

1 AN ACT Relating to prejudgment interest; amending RCW 4.56.110;  
2 and repealing RCW 4.56.111.

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~~) (i) Except as otherwise provided in this  
16 subsection (3), judgments founded on the tortious conduct of a  
17 "public agency" as defined in RCW 42.30.020 shall bear interest from  
18 the date (~~of entry~~) the cause of action accrued at two percentage  
19 points above the equivalent coupon issue yield, as published by the  
20 board of governors of the federal reserve system, of the average bill  
21 rate for twenty-six week treasury bills as determined at the first

1 bill market auction conducted during the calendar month immediately  
2 preceding the date of entry. In any case where a court is directed on  
3 review to enter judgment on a verdict or in any case where a judgment  
4 entered on a verdict is wholly or partly affirmed on review, interest  
5 on the judgment or on that portion of the judgment affirmed shall  
6 ~~((date back to and shall accrue from the date the verdict was  
7 rendered))~~ continue to accrue during the pendency of the appeal until  
8 the judgment, or on that portion of the judgment affirmed, until the  
9 judgment is paid and satisfied.

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

15 (b) (i) Except as otherwise provided in ~~((a) of)~~ this subsection  
16 (3), judgments founded on the tortious conduct of individuals or  
17 other entities that are not a "public agency" as defined in RCW  
18 42.30.020, whether acting in their personal or representative  
19 capacities, shall bear interest from the date ~~((of entry))~~ the cause  
20 of action accrued at two percentage points above the prime rate, as  
21 published by the board of governors of the federal reserve system on  
22 the first business day of the calendar month immediately preceding  
23 the date of entry. In any case where a court is directed on review to  
24 enter judgment on a verdict or in any case where a judgment entered  
25 on a verdict is wholly or partly affirmed on review, interest on the  
26 judgment or on that portion of the judgment affirmed shall ~~((date  
27 back to and shall accrue from the date the verdict was rendered))~~  
28 continue to accrue during the pendency of the appeal until the  
29 judgment, or on that portion of the judgment affirmed, until the  
30 judgment is paid and satisfied.

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

36 (c) Compromise and settlement judgments entered pursuant to RCW  
37 4.92.150 against the state, or any of its officers, employees, or  
38 volunteers arising out of tortious conduct or pursuant to 42 U.S.C.  
39 Sec. 1981 et seq., or against a foster parent that the attorney

1 general is defending pursuant to RCW 4.92.070, bear interest only  
2 from the date of entry.

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

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

12 (6) Except as provided under subsections (1) through (5) of this  
13 section, judgments shall bear interest from the date of entry at the  
14 maximum rate permitted under RCW 19.52.020 on the date of entry  
15 thereof. In any case where a court is directed on review to enter  
16 judgment on a verdict or in any case where a judgment entered on a  
17 verdict is wholly or partly affirmed on review, interest on the  
18 judgment or on that portion of the judgment affirmed shall date back  
19 to and shall accrue from the date the verdict was rendered. The  
20 method for determining an interest rate prescribed by this subsection  
21 is also the method for determining the "rate applicable to civil  
22 judgments" for purposes of RCW 10.82.090.

23 NEW SECTION. Sec. 2. RCW 4.56.111 (Interest on judgments—Rate)  
24 and 2010 c 149 s 2 are each repealed.

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