
SUBSTITUTE HOUSE BILL 2485

State of Washington **58th Legislature** **2004 Regular Session**

By House Committee on Judiciary (originally sponsored by Representatives Lantz, Carrell, Newhouse, Alexander, Jarrett, Moeller, Sommers, Kagi, Upthegrove, Schual-Berke and Darneille)

READ FIRST TIME 01/22/04.

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 four 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 four
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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