
HOUSE BILL 2993

State of Washington

58th Legislature

2004 Regular Session

By Representatives Newhouse, Carrell, McMahan, Benson, Boldt, Schindler, Holmquist, Kristiansen, Roach, Cairnes, Woods, Condotta and Nixon

Read first time 01/26/2004. Referred to Committee on Judiciary.

1 AN ACT Relating to civil liability reform; amending RCW 4.56.115,
2 4.56.110, and 19.52.025; and creating a new section.

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

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

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

1 from the date the verdict was rendered. Interest does not accrue on
2 that portion of a judgment that is subject to appropriation by the
3 legislature under RCW 4.92.090 or by a local legislative authority
4 under RCW 4.96.010 until the appropriation has been made by the
5 legislature or local legislative authority.

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

8 Interest on judgments shall accrue as follows:

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

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

16 (3) Judgments founded on the tortious conduct of individuals or
17 other entities, whether acting in their personal or representative
18 capacities, shall bear interest from the date of entry at two
19 percentage points above the equivalent coupon issue yield, as published
20 by the board of governors of the federal reserve system, of the average
21 bill rate for twenty-six week treasury bills as determined at the first
22 bill market auction conducted during the calendar month immediately
23 preceding the date of entry. In any case where a court is directed on
24 review to enter judgment on a verdict or in any case where a judgment
25 entered on a verdict is wholly or partly affirmed on review, interest
26 on the 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 (4) Except as provided under subsections (1) (~~and~~), (2), and (3)
29 of this section, judgments shall bear interest from the date of entry
30 at the maximum rate permitted under RCW 19.52.020 on the date of entry
31 thereof(~~(: PROVIDED, That)~~). In any case where a court is directed on
32 review to enter judgment on a verdict or in any case where a judgment
33 entered on a verdict is wholly or partly affirmed on review, interest
34 on the judgment or on that portion of the judgment affirmed shall date
35 back to and shall accrue from the date the verdict was rendered. The
36 method for determining an interest rate prescribed by this subsection

1 is also the method for determining the "rate applicable to civil
2 judgments" for purposes of RCW 10.82.090.

3 NEW SECTION. **Sec. 3.** The rate of interest required by sections 1
4 and 2(3), chapter . . ., Laws of 2004 (sections 1 and 2(3) of this act)
5 applies to the accrual of interest as of the date of entry of judgment
6 with respect to a judgment that is entered on or after the effective
7 date of this section.

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

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

16 NEW SECTION. **Sec. 5.** If any provision of this act or its
17 application to any person or circumstance is held invalid, the
18 remainder of the act or the application of the provision to other
19 persons or circumstances is not affected.

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