

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 6764

61st Legislature
2010 Regular Session

Passed by the Senate March 8, 2010
YEAS 39 NAYS 8

President of the Senate

Passed by the House March 3, 2010
YEAS 60 NAYS 37

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 6764** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

ENGROSSED SENATE BILL 6764

AS AMENDED BY THE HOUSE

Passed Legislature - 2010 Regular Session

State of Washington 61st Legislature 2010 Regular Session

By Senators Gordon, Pflug, Oemig, McCaslin, Kline, and Hargrove

Read first time 01/25/10. Referred to Committee on Judiciary.

1 AN ACT Relating to accrual of interest on judgments founded on
2 tortious conduct; amending RCW 4.56.110; and creating a new section.

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

4 **Sec. 1.** RCW 4.56.110 and 2004 c 185 s 2 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)(a) Judgments founded on the tortious conduct of (~~individuals~~
15 ~~or other entities, whether acting in their personal or representative~~
16 ~~capacities,)) a "public agency" as defined in RCW 42.30.020 shall bear
17 interest from the date of entry at two percentage points above the
18 equivalent coupon issue yield, as published by the board of governors
19 of the federal reserve system, of the average bill rate for twenty-six~~

1 week treasury bills as determined at the first bill market auction
2 conducted during the calendar month immediately preceding the date of
3 entry. In any case where a court is directed on review to enter
4 judgment on a verdict or in any case where a judgment entered on a
5 verdict is wholly or partly affirmed on review, interest on the
6 judgment or on that portion of the judgment affirmed shall date back to
7 and shall accrue from the date the verdict was rendered.

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

20 (4) Except as provided under subsections (1), (2), and (3) of this
21 section, judgments shall bear interest from the date of entry at the
22 maximum rate permitted under RCW 19.52.020 on the date of entry
23 thereof. In any case where a court is directed on review to enter
24 judgment on a verdict or in any case where a judgment entered on a
25 verdict is wholly or partly affirmed on review, interest on the
26 judgment or on that portion of the judgment affirmed shall date back to
27 and shall accrue from the date the verdict was rendered. The method
28 for determining an interest rate prescribed by this subsection is also
29 the method for determining the "rate applicable to civil judgments" for
30 purposes of RCW 10.82.090.

31 NEW SECTION. Sec. 2. The rate of interest required by RCW
32 4.56.110(3) (a) and (b) applies to the accrual of interest:

33 (1) As of the date of entry of judgment with respect to a judgment
34 that is entered on or after the effective date of this section; and

35 (2) As of the effective date of this section with respect to a

1 judgment that was entered before the effective date of this section and
2 that is still accruing interest on the effective date of this section.

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