
ENGROSSED SECOND SUBSTITUTE SENATE BILL 5155

State of Washington

67th Legislature

2021 Regular Session

By Senate Ways & Means (originally sponsored by Senators Kuderer, Wellman, Das, and Pedersen)

READ FIRST TIME 02/22/21.

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 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 at two percentage points above the equivalent coupon issue
18 yield, as published by the board of governors of the federal reserve
19 system, of the average bill rate for twenty-six week treasury bills
20 as determined at the first bill market auction conducted during the
21 calendar month immediately preceding the date of entry. In any case

1 where a court is directed on review to enter judgment on a verdict or
2 in any case where a judgment entered on a verdict is wholly or partly
3 affirmed on review, interest on the judgment or on that portion of
4 the judgment affirmed shall date back to and shall accrue from the
5 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,~~) for
9 medical malpractice claims shall bear interest from the date of entry
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 (c) Except as provided in (a) and (b) of this subsection,
19 judgments founded on the tortious conduct of individuals or other
20 entities, whether acting in their personal or representative
21 capacities, shall bear interest from the date the cause of action
22 accrued at two percentage points above the prime rate, as published
23 by the board of governors of the federal reserve system on the first
24 business day of the calendar month immediately preceding the date of
25 entry.

26 (d) The provisions of (a) and (c) of this subsection apply to
27 judgments entered following trial of the matter and arbitration
28 awards. In all other judgments for types of actions in (a) and (c) of
29 this subsection, interest accrues from the date of entry of judgment.

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

39 (6) Except as provided under subsections (1) through (5) of this
40 section, judgments shall bear interest from the date of entry at the

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

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

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