

2010 -- H 7385

LC00312

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE--PROCEDURE GENERALLY --
JUDGMENTS, ORDERS AND DECREES -- INTEREST ON JUDGMENTS

Introduced By: Representatives Marcello, Trillo, and Gemma

Date Introduced: February 04, 2010

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 9-21-10 of the General Laws in Chapter 9-21 entitled "Judgments,
2 Orders, and Decrees" is hereby amended to read as follows:

3 **9-21-10. Interest in civil actions.** -- (a) In any civil action in which a verdict is rendered
4 or a decision made for pecuniary damages, there shall be added by the clerk of the court to the
5 amount of damages interest at the rate of twelve percent (12%) per annum thereon from the date
6 ~~the cause of action accrued~~ of the filing of the civil action, which shall be included in the
7 judgment entered therein. Post-judgment interest shall be calculated at the rate of twelve percent
8 (12%) per annum and accrue on both the principal amount of the judgment and the prejudgment
9 interest entered therein. This section shall not apply until entry of judgment or to any contractual
10 obligation where interest is already provided.

11 (b) Subsection (a) shall not apply in any action filed on or after January 1, 1987, for
12 personal injury or wrongful death filed against a licensed physician, hospital, clinic, health
13 maintenance organization, professional service corporation providing health care services, dentist,
14 or dental hygienist based on professional negligence. In all such medical malpractice actions in
15 which a verdict is rendered or a decision made for pecuniary damages, there shall be added by the
16 clerk of the court to the amount of damages interest at the rate of twelve percent (12%) per annum
17 thereon from the date of written notice of the claim by the claimant or his or her representative to
18 the malpractice liability insurer, or to the medical or dental health care provider or the filing of

1 the civil action, whichever first occurs.

2 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE--PROCEDURE GENERALLY --
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- 1 This act would provide that interest on judgments accrue from the date of the filing of the
- 2 civil action, not the date the cause of action accrued.
- 3 This act would take effect upon its passage.

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