

2012 -- H 8101

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE--PROCEDURE GENERALLY --
INTEREST ON REAL ESTATE VALUATION APPEALS

Introduced By: Representatives Keable, and Marcello

Date Introduced: May 01, 2012

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, which shall be included in the judgment entered therein. Post-
7 judgment interest shall be calculated at the rate of twelve percent (12%) per annum and accrue on
8 both the principal amount of the judgment and the prejudgment interest entered therein. This
9 section shall not apply until entry of judgment or to any contractual obligation where interest is
10 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 (c) Subsection (a) shall not apply to any claim for pecuniary damages brought pursuant to
3 the applicable provision of title 44, chapter 5. In those matters when a verdict is rendered or a
4 decision made for pecuniary damages, there shall be added by the clerk of the court to the amount
5 of damages, interest at the rate of six percent (6%) per annum thereon from the date the cause of
6 action accrued, which shall be included in the judgment entered therein. Post judgment interest
7 shall be calculated at the rate of six percent (6%) per annum and accrue on both the principal
8 amount of the judgment and the prejudgment interest entered therein. This subsection shall not
9 apply until the entry of judgment.

10 SECTION 2. This act shall take effect upon passage and shall apply to currently filed real
11 estate tax valuation challenges.

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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 reduce the statutory interest added to pecuniary damages awarded in real
2 estate valuation challenges for purposes of local real estate taxes, from twelve percent (12%) per
3 annum to six percent (6%) per annum.

4 This act would take effect upon passage and would apply to currently filed real estate tax
5 valuation challenges.

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