

2016 -- S 2312

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LC004354
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

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

Introduced By: Senator Joshua Miller

Date Introduced: February 09, 2016

Referred To: Senate 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 on January 1, 2017.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

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

1 This act would provide that interest on judgments would accrue from the date of the
2 filing of the civil action and not the date the cause of action accrued. This would also apply to
3 medical malpractice claims by repealing the section which provides that interest on the claim
4 would run from the date of notice of the claim to the liability insurer or healthcare provider.

5 This act would take effect on January 1, 2017.

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