
SENATE BILL 5059

State of Washington

68th Legislature

2023 Regular Session

By Senators Kuderer and Trudeau

Prefiled 12/16/22.

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~~) (i) Except as otherwise provided in this
16 subsection (3), judgments founded on the tortious conduct of a
17 "public agency" as defined in RCW 42.30.020 shall bear interest from
18 the date (~~of entry~~) the cause of action accrued at two percentage
19 points above the equivalent coupon issue yield, as published by the
20 board of governors of the federal reserve system, of the average bill
21 rate for twenty-six week treasury bills as determined at the first

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

8 (ii) Judgments founded on tortious conduct that occurred while
9 the plaintiff was a minor shall bear interest at the same rate as in
10 (a)(i) of this subsection (3) from the date the action is commenced
11 or the date the minor attains the age of eighteen years, whichever is
12 earlier.

13 (b) (i) Except as otherwise provided in ((a) of) this subsection
14 (3), judgments founded on the tortious conduct of individuals or
15 other entities that are not a "public agency" as defined in RCW
16 42.30.020, whether acting in their personal or representative
17 capacities, shall bear interest from the date ((of entry)) the cause
18 of action accrued at two percentage points above the prime rate, as
19 published by the board of governors of the federal reserve system on
20 the first business day of the calendar month immediately preceding
21 the date of entry. ((In any case where a court is directed on review
22 to enter judgment on a verdict or in any case where a judgment
23 entered on a verdict is wholly or partly affirmed on review, interest
24 on the judgment or on that portion of the judgment affirmed shall
25 date back to and shall accrue from the date the verdict was
26 rendered.))

27 (ii) Judgments founded on tortious conduct that occurred while
28 the plaintiff was a minor shall bear interest at the same rate as in
29 (b)(i) of this subsection (3) from the date the action is commenced
30 or the date the minor attains the age of eighteen years, whichever is
31 earlier.

32 (c) For judgments pursuant to (a) and (b) of this subsection (3),
33 any interest incurred prior to the date the judgment is entered
34 applies only to arbitration awards and judgments entered following
35 trial of the matter. All other judgments founded on tortious conduct
36 bear interest from the date of entry.

37 (4) Except as provided under subsection (1) of this section,
38 judgments for unpaid private student loan debt, as defined in RCW
39 6.01.060, shall bear interest from the date of entry at two
40 percentage points above the prime rate, as published by the board of

1 governors of the federal reserve system on the first business day of
2 the calendar month immediately preceding the date of entry.

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

6 (6) Except as provided under subsections (1) through (5) of this
7 section, judgments shall bear interest from the date of entry at the
8 maximum rate permitted under RCW 19.52.020 on the date of entry
9 thereof. In any case where a court is directed on review to enter
10 judgment on a verdict or in any case where a judgment entered on a
11 verdict is wholly or partly affirmed on review, interest on the
12 judgment or on that portion of the judgment affirmed shall date back
13 to and shall accrue from the date the verdict was rendered. The
14 method for determining an interest rate prescribed by this subsection
15 is also the method for determining the "rate applicable to civil
16 judgments" for purposes of RCW 10.82.090.

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

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