

SB098_L.003

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.SB18-098 be amended as follows:

1 Amend printed bill, page 2, lines 6 and 7, strike "13-21-101, amend (1)
2 as follows:" and substitute "amend 13-21-101 as follows:".

3 Page 3, strike lines 6 through 8 and substitute "forth in subsections (3)
4 and (4) of this section from the date ~~the action accrued and shall~~ OF
5 JUDGMENT THROUGH THE DATE OF SATISFYING THE JUDGMENT AND MUST
6 include compounding of interest annually. ~~from the date such suit was~~
7 ~~filed.~~

8 (2) (a) If a judgment for money in an action brought to recover
9 damages for personal injuries is appealed by a judgment debtor and the
10 judgment is affirmed, POSTJUDGMENT interest, as set out in subsections
11 (3) and (4) of this section, ~~shall be~~ IS payable from the date ~~the action~~
12 ~~accrued until satisfaction of the judgment~~ OF JUDGMENT THROUGH THE
13 DATE OF SATISFYING THE JUDGMENT.

14 (b) If a judgment for money in an action to recover damages for
15 personal injuries is appealed by a judgment debtor and the judgment is
16 modified or reversed with a direction that a judgment for money be
17 entered in the trial court, POSTJUDGMENT interest, as set out in subsections
18 (3) and (4) of this section, ~~shall be~~ IS payable from the date ~~the action~~
19 ~~accrued until the judgment is satisfied~~ OF JUDGMENT THROUGH THE DATE
20 OF SATISFYING THE JUDGMENT. This POSTJUDGMENT interest ~~shall be~~ IS
21 payable on the amount of the final judgment.

22 (3) The rate of POSTJUDGMENT interest ~~shall~~ MUST be certified on
23 each January 1 by the secretary of state to be two percentage points above
24 the discount rate, which discount rate ~~shall~~ MUST be the rate of interest a
25 commercial bank pays to the federal reserve bank of Kansas City using
26 a government bond or other eligible paper as security, and ~~shall be~~
27 rounded to the nearest full percent. Such annual rate of interest ~~shall be~~
28 ~~so~~ MUST BE established as of December 31, 1982, to become effective
29 January 1, 1983. Thereafter, as of December 31 of each year, the annual
30 rate of interest ~~shall~~ MUST be established in the same manner, ~~to become~~
31 effective on January 1 of the following year.

32 (4) The rate at which POSTJUDGMENT interest ~~shall accrue~~
33 ACCRUES during each year ~~shall be~~ IS the rate which the secretary of state
34 has certified as the annual interest rate ~~under~~ PURSUANT TO subsection (3)
35 of this section."

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