

House Study Bill 239

Conference Committee Text

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1 1 Section 1. Section [535.3](#), Code 1995, is amended to read as
1 2 follows:

1 3 535.3 INTEREST ON JUDGMENTS AND DECREES.

1 4 Interest shall be allowed on all money due on judgments and
1 5 decrees of courts

~~at the rate of ten percent per year, unless~~

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~~a~~
- as follows:

1 7 1. At a rate equal to the coupon issue yield equivalent,
1 8 as determined by the United States secretary of the treasury,
1 9 of the average accepted auction price for the last auction of
1 10 fifty-two-week United States treasury bills settled
1 11 immediately prior to the date of the judgment.

1 12 2. A different rate which is fixed by the contract on
1 13 which the judgment or decree is rendered, in which case the
1 14 judgment or decree shall draw interest at the rate expressed
1 15 in the contract, not exceeding the maximum applicable rate
1 16 permitted by the provisions of section 535.2, which rate must
1 17 be expressed in the judgment or decree.

1 18 3. The state court administrator shall distribute notice
1 19 monthly of the rate set under subsection 1 and any changes to
1 20 that rate to all district courts.

1 21 4. The interest shall accrue from the date of the
1 22 commencement of the action.

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~~This section does not apply to the award of interest for~~

1 24

~~judgments and decrees subject to section 668.13.~~

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EXPLANATION

1 26 This bill provides that the rate of interest on judgments
1 27 and decrees set in section 535.3 is to be equal to the coupon
1 28 issue rate of 52-week United States treasury bills unless a
1 29 different rate is set in the judgment or decree. The bill
1 30 also eliminates language in that section made redundant by the
1 31 bill providing that the section does not apply to comparative
1 32 fault actions.

1 33 LSB 2123HC 76

1 34 mk/jw/5