



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

<b>2015 Assembly Bill 95</b>	<b>Assembly Amendment 1</b>
<i>Memo published:</i> December 18, 2015 <i>Contact:</i> Jessica Karls-Ruplinger, Deputy Director (266-2230)	

### CURRENT LAW

Under current law, a judgment for the recovery of money collects interest at an annual rate equal to one percent plus the prime rate in effect on: (1) January 1 of the year in which the judgment is entered if the judgment is entered on or before June 30 of that year; or (2) July 1 of the year in which the judgment is entered if the judgment is entered after June 30 of that year. In addition, if there is an offer of settlement by a party that is not accepted and the party recovers a judgment that is greater than or equal to the amount specified in the settlement offer, the party is entitled to interest at an annual rate, described above, on the amount recovered from the date of the offer of settlement until the amount is paid.

### 2015 ASSEMBLY BILL 95

Assembly Bill 95 changes the interest rate on executions on judgments for the recovery of money in small claims actions to an annual rate of 12%. The 12% interest rate also applies in circumstances in which a settlement offer is not accepted in a small claims action and the party recovers a judgment that is greater than or equal to the amount specified in the settlement offer.

### ASSEMBLY AMENDMENT 1

Assembly Amendment 1 decreases, in small claims actions, the annual interest rate of 12% under the bill to an annual interest rate of 8%.

### BILL HISTORY

On November 3, 2015, Representative Horlacher offered Assembly Amendment 1 to Assembly Bill 95. On December 17, 2015, the Assembly Committee on Judiciary recommended

adoption of Assembly Amendment 1 on a vote of Ayes, 7; Noes, 2; and passage of Assembly Bill 95, as amended, on a vote of Ayes, 5; Noes, 4.

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