



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**September 2011 Special Session
Assembly Bill 14**

**Assembly Substitute
Amendment 1, as Amended**

Memo published: October 28, 2011

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Under *current law*, a judgment for the recovery of money collects interest at an annual rate of 12% on the amount recovered from the date of the entry of the judgment until the judgment is paid. 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 offer of settlement, the party is entitled to interest at an annual rate of 12% on the amount recovered from the date of the offer of settlement until the amount is paid.

September 2011 Special Session Assembly Bill 14 provides that in a civil action in tort, in an action brought by a customer to enforce rights under the Wisconsin Consumer Act, or in a consumer protection action commenced by the Department of Agriculture, Trade and Consumer Protection, the annual interest rate on a judgment is equal to *one percent plus the prime rate* in effect on the day that the judgment is entered.

Assembly Substitute Amendment 1 provides that the annual interest rate on judgments *in all actions* is equal to one percent plus the prime rate in effect on the day that the judgment is entered.

Assembly Amendment 1 to Assembly Substitute Amendment 1 provides that the annual interest rate on judgments in all actions is equal to one percent plus the prime rate in effect on *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 in effect on July 1 of the year in which the judgment is entered if the judgment is entered after June 30 of that year.*

Legislative History

Assembly Substitute Amendment 1 was offered by Representative J. Ott, and Assembly Amendment 1 to Assembly Substitute Amendment 1 was offered by Representative Farrow. On October 27, 2011, the Assembly Committee on Judiciary and Ethics recommended adoption of the amendment on a vote of Ayes, 5; Noes, 3, and recommended adoption of the substitute amendment, as amended, on a vote of Ayes, 7; Noes, 1. The committee then recommended passage of the bill, as amended, on a vote of Ayes, 5; Noes, 3.

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