Bill as Introduced

HB 1233 - AS INTRODUCED

2000 SESSION

00-2126
09/01

HOUSE BILL ***1233***

AN ACT relative to interest on judgments.

SPONSORS: Rep. Soltani, Merr 10

COMMITTEE: Judiciary

ANALYSIS

This bill establishes that interest on judgments shall be imposed from the date the action is commenced to the date of payment of the judgment.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

00-2126
09/01

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand

AN ACT relative to interest on judgments.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Interest on Judgments. Amend the section heading and paragraph I of RSA 336:2 to read as follows:

336:2 Time of Effective Rate; ***Accrual of Interest.***

I. The rate paid on judgments shall be the rate in effect at the time the verdict is rendered or a finding for pecuniary damages is made, as certified by the clerk of court. ***Interest on judgments shall be imposed from the date the action is commenced to the date the judgment is paid.***

2 Interest on Executions in Civil Actions. Amend RSA 527:10 to read as follows:

527:10 Interest. Interest is payable on executions in civil actions [~~from the time of judgment rendered~~] ***in a manner consistent with the provisions of RSA 336:2, I.***

3 Effective Date. This act shall take effect January 1, 2001.

Amendments

Rep. Soltani, Merr. 10
January 18, 2000
2000-3109h
09/01

Amendment to HB 1233

Amend the bill by replacing sections 1 and 2 with the following:

1 Simple Interest on Judgments. Amend the section heading and paragraph I of RSA 336:2 to read as follows:

336:2 Time of Effective Rate*; Accrual of Simple Interest*.

I. The rate paid on judgments shall be the rate in effect at the time the verdict is rendered or a finding for pecuniary damages is made, as certified by the clerk of court. ***Simple interest on judgments shall be imposed from the date the action is commenced to the date the judgment is paid.***

2 Simple Interest on Executions in Civil Actions. Amend RSA 527:10 to read as follows:

527:10 Interest. Simple interest is payable on executions in civil actions [~~from the time of judgment rendered~~] ***in a manner consistent with the provisions of RSA 336:2, I.***

2000-3109h

AMENDED ANALYSIS

This bill establishes that simple interest on judgments shall be imposed from the date the action is commenced to the date of payment of the judgment.

Hearing Minutes

HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON HB 1233

BILL TITLE: relative to interest on judgments.

DATE: 12/1/2000

LOB ROOM: 208 **Time Public Hearing Called to Order:** 10:45

Time Adjourned:

(please circle if present)

Committee Members: Reps. Mock, Peterson, Jacobson, Keane, Bergin, Dokmo, L. Jean, Rowe, Ford, Withee, Dudley, Picconi, Soltani, Woods, Wall, DePecol, J. Pratt, Craig, Lasky, Mitchell, Solow and Wood.

Bill Sponsors: Rep. Soltani

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Tony Soltani, sponsor, supporting

-Introduced bill, explained need for bill. Explained the 3 phases of action commencement, verdict, judgment. This bill clarifies the interest question and gives statutory authority to the courts to do what they are already doing.

Responded to questions by the committee.

Respectfully submitted,

Rep. Loren J. Jean, Clerk

HB 1233

Rep Tony Soltani Introduced bill explained bill and explained need for bill.
Explained the 3 phases of action commencement, verdict, judgment. This bill clarifies the interest question and give statutory authority to the courts to do what they are already doing.
Responded to ?

HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON HB 1233

BILL TITLE: **relative to interest on judgments.**

DATE: 12/01/00

LOB ROOM: 208 **Time Public Hearing Called to Order:** 10:45

Time Adjourned: _____

(please circle if present)

Committee Members: Reps. (Mock) (Peterson) Jacobson (Keans) (Bergin) (Dokmo) (L. Jean) (Rowe) (Ford) Withee (Dudley) Picconi (Soltani) (Woods) Wall, DePecol, J. Pratt, (Craig) (Lasky) (Mitchell) Solow and (Wood)

Bill Sponsors:

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Voting Sheets

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on HB 1233

BILL TITLE: **relative to interest on judgments.**

DATE:

LOB ROOM: **208**

Amendments:

Sponsor: Rep. Soltani OLS Document #: 3109-H

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, (OTP/A), ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Rowe

Seconded by Rep. Picconi

Vote: (Please attach record of roll call vote.)

Motions: OTP, (OTP/A), ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Rowe

Seconded by Rep. Keans

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Loren J. Jean, Clerk

OFFICE OF THE HOUSE CLERK

2000 SESSION

JUDICIARY

Bill #: HB 1333 Title: relative to interest on judgments

PH Date: 1/12/2000 Exec Session Date: 1/01/00

Motion: OTPA Amendment #: 3109-H

MEMBER	YEAS	NAYS
Mock, Henry P, Chairman	✓	
Peterson, Andrew R, V Chairman		
Jacobson, Alf E	✓	
Keans, Sandra B	✓	
Bergin, Peter F	✓	
Dokmo, Cynthia J		
Jean, Loren J, Clerk	✓	
Rowe, Robert H	✓	
Ford, Nancy M		
Withee, Dennis J		
Dudley, Terri C		
Picconi, Al J	✓	
Soltani, Tony F	✓	
Woods, Phyllis L	✓	
Wall, Janet G	✓	
DePecol, Benjamin J		
Pratt, John M	✓	
Craig, James W		
Lasky, Bette R	✓	
Mitchell, McKim W	✓	
Solow, Martha S		
Wood, Jane	✓	
TOTAL VOTE:	14	0

Printed: 12/30/1999

Committee Report

COMMITTEE REPORT

COMMITTEE: **Judiciary**

BILL NUMBER: **HB 1233**

TITLE: relative to interest on judgments.

DATE: Jan. 19, 2000 CONSENT CALENDAR YES ☒ NO ☐

☐ OUGHT TO PASS

☒ OUGHT TO PASS WITH AMENDMENT

☐ INEXPEDIENT TO LEGISLATE

☐ RE-REFER

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

Presently, interest is assessed on judgments under two separate statutes. The current law provides for accrual of interest from the commencement of the action until the entry of the verdict. Another law allows interest to be assessed after execution is taken. This bill consolidates the existing law and clears the ambiguity and provides continuity in assessing interest from the entry of the action until final tender.

Vote 14-0.

Rep. Robert H. Rowe
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

CONSENT CALENDAR

Judiciary

HB 1233, relative to interest on judgments. OUGHT TO PASS WITH AMENDMENT

Rep. Robert H. Rowe for **Judiciary:** Presently, interest is assessed on judgments under two separate statutes. The current law provides for accrual of interest from the commencement of the action until the entry of the verdict. Another law allows interest to be assessed after execution is taken. This bill consolidates the existing law and clears the ambiguity and provides continuity in assessing interest from the entry of the action until final tender. Vote 14-0.

COMMITTEE REPORT

COMMITTEE: **Judiciary**

BILL NUMBER: HB 1233

TITLE: relative to interest on judgments.

DATE: CONSENT CALENDAR YES ☑ NO ☐

☐ OUGHT TO PASS

☑ OUGHT TO PASS WITH AMENDMENT

☐ INEXPEDIENT TO LEGISLATE

☐ RE-REFER

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

Vote: 14 – 0

Rep. Rowe
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

Presently, interest is assessed on judgments under two separate statutes. The current law provides for accrual of interest from the commencement of the action until the entry of the verdict. Another law allows interest to be assessed after execution is taken. This bill consolidates the existing law and clears the ambiguity and provides continuity in assessing interest from the entry of the action until final tender.