



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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February 12, 2016

Mr. Speaker:

The Judiciary Committee reports a favorable recommendation on **H.B. 91**, INTEREST RATE AMENDMENTS, by Representative K. Powell, with the following amendments:

1. *Page 5, Lines 122 through 133:*

- 122 [~~(2) Unless~~] (3) (a) ~~{H}~~ **Subject to the other provisions of this Subsection**
123 **(3), if** a right to interest exists as a matter of law, but parties to a lawful
124 contract [~~specify~~] have not specified a different rate of interest, the legal rate of interest
125 for [~~the~~
126 ~~loan or forbearance of any money, goods, or~~] the contract or other chose in action [~~shall~~
127 ~~be~~
128 ~~10% per annum~~] prior to judgment is the federal postjudgment interest plus
129 ~~{2%}~~ **5%** , unless
130 otherwise provided by law.
131 (b) The federal postjudgment interest rate used for purposes of Subsection (3)(a) is
132 the
133 rate as of January 1 for the year in which:
134 (i) a contract is made; or
135 (ii) when the chose in action other than one based on contract accrues.
136 (c) The legal rate under Subsection (3)(a) at the time that a contract is made or other
137 chose in action accrues, shall remain the interest rate for the duration of the contract or

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other
133 chose in action.

(d) The legal rate under Subsection (3)(a) may not be lower than 5% or higher than 10%.

Respectfully,

LaVar Christensen
Committee Chair

Voting: 6-5-0

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