

H.B. 91

INTEREST RATE AMENDMENTS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 12, 2016 8:20 AM

Representative **Kraig Powell** proposes the following amendments:

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

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