

28 claim interest on special damages actually incurred [~~from the date of the occurrence of the act~~
29 ~~giving rise to the cause of action~~].

30 (2) It is the duty of the court, in entering judgment for plaintiff in that action, to add to
31 the amount of special damages actually incurred that are assessed by the verdict of the jury, or
32 found by the court, prejudgment interest on that amount [~~calculated at 7.5% simple interest per~~
33 ~~annum, from the date of the occurrence of the act giving rise to the cause of action to the date~~
34 ~~of entering the judgment;~~] and to include it in that judgment. The court shall calculate

35 prejudgement interest using a per annum rate, which is \$→ [one] two ←\$ percentage \$→ [point]
35a points ←\$ above the prime

36 rate, as published by the board of governors of the federal reserve system on the first business
37 day in January of the calendar year \$→ in which the plaintiff is first treated. [in which the

37a judgment is entered;] [and] The prejudgment interest rate applied may not be above 10 percent
37b nor below 5 percent. The prejudgment interest ←\$ shall be computed as

38 simple interest accruing during the period from the date \$→ [90 days after commencement of the
39 lawsuit] the plaintiff is first treated ←\$ to the date \$→ [entering] on which ←\$ the judgment

39a \$→ is entered ←\$.

40 (3) As used in this section, "special damages actually incurred" does not include
41 damages for future medical expenses, loss of future wages, or loss of future earning capacity.

\$→ (4) This section applies to injuries that occur after May 14, 2013. ←\$

Legislative Review Note
as of 2-15-13 8:13 AM

Office of Legislative Research and General Counsel