

S.B. 212
JUDICIAL CODE AMENDMENTS

Senator **John L. Valentine** proposes the following amendments:

1. *Page 2, Lines 30 through 41:*

30 (2) (a) 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 percentage point 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 judgment is entered, and shall be computed as
38 simple interest accruing during the period from the date 90 days after commencement of the
39 lawsuit to the date entering the judgment.} Interest shall be calculated as of January 1 of the
calendar year in which medical care is provided.

(b) The injured person directly, or through a representative, shall provide written notice to each
medical provider that the individual received treatment as a result of the tortious conduct of another
person, corporation, association, or partnership. If notice is provided within 60 days of the first date of
treatment from the medical provider, costs of the medical treatment may not carry interest on any unpaid
portion of the medical bill that is greater than one percentage point above the prime rate as set forth in
Subsection (2)(a).

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.