

SENATE BILL NO. 2302

Introduced by

Senators Trenbeath, Grindberg

Representatives Iverson, Kretschmar, Thoreson

1 A BILL for an Act to amend and reenact section 28-20-34 of the North Dakota Century Code,
2 relating to postjudgment interest.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 28-20-34 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **28-20-34. Interest rate on judgments.** Interest is payable on judgments recovered in
7 the courts of this state at the same rate as is provided in the original instrument upon which the
8 action resulting in the judgment is based, which rate may not exceed the maximum rate
9 provided in section 47-14-09. If such original instrument contains no provision as to an interest
10 rate, or if the action resulting in the judgment was not based upon an instrument, interest is
11 payable at the rate of twelve percent per annum through December 31, 2005. Beginning
12 January 1, 2006, the interest is payable at a rate equal to the prime rate published in the Wall
13 Street Journal on the first Monday in December of each year plus two percentage points
14 rounded to the nearest whole number percentage point and may not be compounded in any
15 manner or form. On or before the twentieth day of December each year, the state court
16 administrator shall determine the rate and shall transmit notice of that rate to all clerks of court.
17 As established, the rate shall be in effect beginning the first day of the following January
18 through the last day of December in each year. Interest on all judgments recovered in the
19 courts of this state before ~~July 1, 1984~~ January 1, 2006, must remain at the rate per annum
20 which was legally prescribed at the time the judgments were entered, and such interest may not
21 be compounded in any manner or form.