

1 SECTION 2. REPEALER Section 7, Chapter 390, O.S.L. 2003
2 (63 O.S. Supp. 2008, Section 1-1708.1G), is hereby repealed.

3 SECTION 3. AMENDATORY 12 O.S. 2011, Section 727.1, as
4 amended by Section 1, Chapter 48, O.S.L. 2013, is amended to read as
5 follows:

6 Section 727.1

7 POSTJUDGMENT INTEREST

8 A. 1. Except as otherwise provided by this section, all
9 judgments of courts of record, including costs and attorney fees
10 authorized by statute or otherwise and allowed by the court, shall
11 bear interest at a rate prescribed pursuant to this section.

12 2. Costs and attorney fees allowed by the court shall bear
13 interest from the earlier of the date the judgment or order is
14 pronounced, if expressly stated in the written judgment or order
15 awarding the costs and attorney fees, or the date the judgment or
16 order is filed with the court clerk.

17 B. Judgments, including costs and attorney fees authorized by
18 statute or otherwise and allowed by the court, against this state or
19 its political subdivisions, including counties, municipalities,
20 school districts, and public trusts of which this state or a
21 political subdivision of this state is a beneficiary, shall bear
22 interest during the term of judgment at a rate prescribed pursuant
23 to this section from the date of rendition. No judgment against
24 this state or its political subdivisions, including counties,

1 municipalities, school districts, and public trusts of which this
2 state or a political subdivision of this state is a beneficiary,
3 inclusive of postjudgment interest, shall exceed the total amount of
4 liability of the governmental entity pursuant to The Governmental
5 Tort Claims Act.

6 C. The postjudgment interest authorized by subsection A or
7 subsection B of this section shall accrue from the earlier of the
8 date the judgment is rendered as expressly stated in the judgment,
9 or the date the judgment is filed with the court clerk, and shall
10 initially accrue at the rate in effect for the calendar year during
11 which the judgment is rendered until the end of the calendar year in
12 which the judgment was rendered, or until the judgment is paid,
13 whichever first occurs. Beginning on January 1 of the next
14 succeeding calendar year until the end of that calendar year, or
15 until the judgment is paid, whichever first occurs, the judgment,
16 together with postjudgment interest previously accrued, shall bear
17 interest at the rate in effect for judgments rendered during that
18 calendar year as certified by the Administrative Director of the
19 Courts pursuant to subsection I of this section. For each
20 succeeding calendar year, or part of a calendar year, during which a
21 judgment remains unpaid, the judgment, together with postjudgment
22 interest previously accrued, shall bear interest at the rate in
23 effect for judgments rendered during that calendar year as certified
24 by the Administrative Director of the Courts pursuant to subsection

1 I of this section. A separate computation using the interest rate
2 in effect for judgments as provided by subsection I of this section
3 shall be made for each calendar year, or part of a calendar year,
4 during which the judgment remains unpaid in order to determine the
5 total amount of interest for which the judgment debtor is liable.
6 The postjudgment interest rate for each calendar year or part of a
7 calendar year a judgment remains unpaid shall be multiplied by the
8 original amount of the judgment, including any prejudgment interest,
9 together with postjudgment interest previously accrued. Interest
10 shall accrue on a judgment in the manner prescribed by this
11 subsection until the judgment is satisfied or released.

12 D. If a rate of interest is specified in a contract, the rate
13 specified shall apply and be stated in the journal entry of
14 judgment. The rate of interest shall not exceed the lawful rate for
15 that obligation. Postjudgment interest shall be calculated at the
16 contractual rate and accrued in the same manner as prescribed in
17 subsection C of this section.

18 PREJUDGMENT INTEREST

19 E. Except as provided by subsection F of this section,
20 ~~beginning November 1, 2009~~ or Section 1-1708.1G of Title 63 of the
21 Oklahoma Statutes, if a verdict for damages by reason of personal
22 injuries or injury to personal rights including, but not limited to,
23 injury resulting from bodily restraint, personal insult, defamation,
24 invasion of privacy, injury to personal relations, or detriment due

1 to an act or omission of another is accepted by the trial court, the
2 court in rendering judgment shall add interest on the verdict at a
3 rate prescribed pursuant to subsection I of this section from the
4 date ~~which is twenty-four (24) months after~~ the suit resulting in
5 the judgment was commenced to the earlier of the date the verdict is
6 accepted by the trial court as expressly stated in the judgment, or
7 the date the judgment is filed with the court clerk. ~~No prejudgment~~
8 ~~interest shall begin to accrue until twenty-four (24) months after~~
9 ~~the suit resulting in the judgment was commenced.~~ The interest rate
10 for computation of prejudgment interest shall begin with the rate
11 prescribed by subsection I of this section which is in effect for
12 the calendar year in which ~~is twenty-four (24) months after~~ the suit
13 resulting in the judgment ~~was~~ is commenced. This rate shall be in
14 effect until the end of the calendar year in which ~~interest begins~~
15 ~~to accrue~~ the suit resulting in judgment was filed or until the date
16 judgment is filed, whichever first occurs. Beginning on January 1
17 of the next succeeding calendar year until the end of that calendar
18 year, or until the date the judgment is filed, whichever first
19 occurs, and for each succeeding calendar year thereafter, the
20 prejudgment interest rate shall be the rate in effect for judgments
21 rendered during each calendar year as certified by the
22 Administrative Director of the Courts pursuant to subsection I of
23 this section. After the computation of all prejudgment interest has
24 been completed, the total amount of prejudgment interest shall be

1 added to the amount of the judgment rendered pursuant to the trial
2 of the action, and the total amount of the resulting judgment shall
3 become the amount upon which postjudgment interest is computed
4 pursuant to subsection A of this section.

5 F. If a verdict of the type described by subsection E of this
6 section is rendered against this state or its political
7 subdivisions, including counties, municipalities, school districts,
8 and public trusts of which this state or a political subdivision of
9 this state is a beneficiary, the judgment shall bear interest at the
10 rate prescribed pursuant to subsection I of this section from the
11 date the suit was commenced to the earlier of the date the verdict
12 is accepted by the trial court as expressly stated in the judgment
13 or the date the judgment is filed with the court clerk. The
14 interest rate for computation of prejudgment interest shall begin
15 with the rate prescribed by subsection I of this section which is in
16 effect for the calendar year in which the suit resulting in the
17 judgment is commenced. This rate shall be in effect until the end
18 of the calendar year in which the suit resulting in judgment was
19 filed or until the date the judgment is rendered as expressly stated
20 in the judgment, whichever first occurs. Beginning on January 1 of
21 the next succeeding calendar year until the end of that calendar
22 year, or until the date judgment is rendered, whichever first
23 occurs, and for each succeeding calendar year thereafter, the
24 prejudgment interest rate shall be the rate in effect for judgments

1 rendered during each calendar year as certified by the
2 Administrative Director of the Courts pursuant to subsection I of
3 this section. After the computation of prejudgment interest has
4 been completed, the amount shall be added to the amount of the
5 judgment rendered pursuant to the trial of the action, and the total
6 amount of the resulting judgment shall become the amount upon which
7 postjudgment interest is computed pursuant to subsection B of this
8 section. No award of prejudgment interest against this state or its
9 political subdivisions, including counties, municipalities, school
10 districts, and public trusts of which this state or a political
11 subdivision of this state is a beneficiary, including the amount of
12 the judgment awarded pursuant to trial of the action, shall exceed
13 the total amount of liability of the governmental entity pursuant to
14 The Governmental Tort Claims Act.

15 G. If exemplary or punitive damages are awarded in an action
16 for personal injury or injury to personal rights including, but not
17 limited to, injury resulting from bodily restraint, personal insult,
18 defamation, invasion of privacy, injury to personal relations, or
19 detriment due to an act or omission of another, the interest on that
20 award shall begin to accrue from the earlier of the date the
21 judgment is rendered as expressly stated in the judgment, or the
22 date the judgment is filed with the court clerk.

23 H. If a judgment is rendered establishing the existence of a
24 lien against property and no rate of interest exists, the court

1 shall allow prejudgment interest at a rate prescribed pursuant to
2 subsection I of this section from the date the lien is filed to the
3 date of verdict.

4 I. For purposes of computing either postjudgment interest or
5 prejudgment interest as authorized by this section, interest shall
6 be the prime rate, as listed in the first edition of the Wall Street
7 Journal published for each calendar year and as certified to the
8 Administrative Director of the Courts by the State Treasurer on the
9 first regular business day following publication in January of each
10 year, plus two percent (2%). ~~For purposes of computing prejudgment~~
11 ~~interest as authorized by this section, interest shall be determined~~
12 ~~using a rate equal to the average United States Treasury Bill rate~~
13 ~~of the preceding calendar year as certified to the Administrative~~
14 ~~Director of the Courts by the State Treasurer on the first regular~~
15 ~~business day in January of each year.~~

16 J. For purposes of computing postjudgment interest, the
17 provisions of this section shall be applicable to all judgments of
18 the district courts rendered on or after January 1, 2005. Effective
19 January 1, 2005, the method for computing postjudgment interest
20 prescribed by this section shall be applicable to all judgments
21 remaining unpaid rendered prior to January 1, 2005.

22 K. For purposes of computing prejudgment interest, the
23 provisions of this section shall be applicable to all actions which
24 are filed in the district courts on or after January 1, ~~2010~~ 2005,

1 for which an award of prejudgment interest is authorized by the
2 provisions of this section.

3 SECTION 4. AMENDATORY 12 O.S. 2011, Section 727.1, as
4 last amended by Section 3 of this act, is amended to read as
5 follows:

6 Section 727.1

7 POSTJUDGMENT INTEREST

8 A. 1. Except as otherwise provided by this section, all
9 judgments of courts of record, including costs and attorney fees
10 authorized by statute or otherwise and allowed by the court, shall
11 bear interest at a rate prescribed pursuant to this section.

12 2. Costs and attorney fees allowed by the court shall bear
13 interest from the earlier of the date the judgment or order is
14 pronounced, if expressly stated in the written judgment or order
15 awarding the costs and attorney fees, or the date the judgment or
16 order is filed with the court clerk.

17 B. Judgments, including costs and attorney fees authorized by
18 statute or otherwise and allowed by the court, against this state or
19 its political subdivisions, including counties, municipalities,
20 school districts, and public trusts of which this state or a
21 political subdivision of this state is a beneficiary, shall bear
22 interest during the term of judgment at a rate prescribed pursuant
23 to this section from the date of rendition. No judgment against
24 this state or its political subdivisions, including counties,

1 municipalities, school districts, and public trusts of which this
2 state or a political subdivision of this state is a beneficiary,
3 inclusive of postjudgment interest, shall exceed the total amount of
4 liability of the governmental entity pursuant to The Governmental
5 Tort Claims Act.

6 C. The postjudgment interest authorized by subsection A or
7 subsection B of this section shall accrue from the earlier of the
8 date the judgment is rendered as expressly stated in the judgment,
9 or the date the judgment is filed with the court clerk, and shall
10 initially accrue at the rate in effect for the calendar year during
11 which the judgment is rendered until the end of the calendar year in
12 which the judgment was rendered, or until the judgment is paid,
13 whichever first occurs. Beginning on January 1 of the next
14 succeeding calendar year until the end of that calendar year, or
15 until the judgment is paid, whichever first occurs, the judgment,
16 together with postjudgment interest previously accrued, shall bear
17 interest at the rate in effect for judgments rendered during that
18 calendar year as certified by the Administrative Director of the
19 Courts pursuant to subsection I of this section. For each
20 succeeding calendar year, or part of a calendar year, during which a
21 judgment remains unpaid, the judgment, together with postjudgment
22 interest previously accrued, shall bear interest at the rate in
23 effect for judgments rendered during that calendar year as certified
24 by the Administrative Director of the Courts pursuant to subsection

1 I of this section. A separate computation using the interest rate
2 in effect for judgments as provided by subsection I of this section
3 shall be made for each calendar year, or part of a calendar year,
4 during which the judgment remains unpaid in order to determine the
5 total amount of interest for which the judgment debtor is liable.
6 The postjudgment interest rate for each calendar year or part of a
7 calendar year a judgment remains unpaid shall be multiplied by the
8 original amount of the judgment, including any prejudgment interest,
9 together with postjudgment interest previously accrued. Interest
10 shall accrue on a judgment in the manner prescribed by this
11 subsection until the judgment is satisfied or released.

12 D. If a rate of interest is specified in a contract, the rate
13 specified shall apply and be stated in the journal entry of
14 judgment. The rate of interest shall not exceed the lawful rate for
15 that obligation. Postjudgment interest shall be calculated at the
16 contractual rate and accrued in the same manner as prescribed in
17 subsection C of this section.

18 PREJUDGMENT INTEREST

19 E. Except as provided by subsection F of this section ~~or~~
20 ~~Section 1-1708.1C of Title 63 of the Oklahoma Statutes, beginning on~~
21 the effective date of this act if a verdict for damages by reason of
22 personal injuries or injury to personal rights including, but not
23 limited to, injury resulting from bodily restraint, personal insult,
24 defamation, invasion of privacy, injury to personal relations, or

1 detriment due to an act or omission of another is accepted by the
2 trial court, the court in rendering judgment shall add interest on
3 the verdict at a rate prescribed pursuant to subsection I of this
4 section from the date which is twenty-four (24) months after the
5 suit resulting in the judgment was commenced to the earlier of the
6 date the verdict is accepted by the trial court as expressly stated
7 in the judgment, or the date the judgment is filed with the court
8 clerk. No prejudgment interest shall begin to accrue until twenty-
9 four (24) months after the suit resulting in the judgment was
10 commenced. The interest rate for computation of prejudgment
11 interest shall begin with the rate prescribed by subsection I of
12 this section which is in effect for the calendar year ~~in~~ which is
13 twenty-four (24) months after the suit resulting in the judgment ~~is~~
14 was commenced. This rate shall be in effect until the end of the
15 calendar year in which ~~the suit resulting in judgment was filed~~
16 interest begins to accrue or until the date judgment is filed,
17 whichever first occurs. Beginning on January 1 of the next
18 succeeding calendar year until the end of that calendar year, or
19 until the date the judgment is filed, whichever first occurs, and
20 for each succeeding calendar year thereafter, the prejudgment
21 interest rate shall be the rate in effect for judgments rendered
22 during each calendar year as certified by the Administrative
23 Director of the Courts pursuant to subsection I of this section.
24 After the computation of all prejudgment interest has been

1 completed, the total amount of prejudgment interest shall be added
2 to the amount of the judgment rendered pursuant to the trial of the
3 action, and the total amount of the resulting judgment shall become
4 the amount upon which postjudgment interest is computed pursuant to
5 subsection A of this section.

6 F. If a verdict of the type described by subsection E of this
7 section is rendered against this state or its political
8 subdivisions, including counties, municipalities, school districts,
9 and public trusts of which this state or a political subdivision of
10 this state is a beneficiary, the judgment shall bear interest at the
11 rate prescribed pursuant to subsection I of this section from the
12 date the suit was commenced to the earlier of the date the verdict
13 is accepted by the trial court as expressly stated in the judgment
14 or the date the judgment is filed with the court clerk. The
15 interest rate for computation of prejudgment interest shall begin
16 with the rate prescribed by subsection I of this section which is in
17 effect for the calendar year in which the suit resulting in the
18 judgment is commenced. This rate shall be in effect until the end
19 of the calendar year in which the suit resulting in judgment was
20 filed or until the date the judgment is rendered as expressly stated
21 in the judgment, whichever first occurs. Beginning on January 1 of
22 the next succeeding calendar year until the end of that calendar
23 year, or until the date judgment is rendered, whichever first
24 occurs, and for each succeeding calendar year thereafter, the

1 prejudgment interest rate shall be the rate in effect for judgments
2 rendered during each calendar year as certified by the
3 Administrative Director of the Courts pursuant to subsection I of
4 this section. After the computation of prejudgment interest has
5 been completed, the amount shall be added to the amount of the
6 judgment rendered pursuant to the trial of the action, and the total
7 amount of the resulting judgment shall become the amount upon which
8 postjudgment interest is computed pursuant to subsection B of this
9 section. No award of prejudgment interest against this state or its
10 political subdivisions, including counties, municipalities, school
11 districts, and public trusts of which this state or a political
12 subdivision of this state is a beneficiary, including the amount of
13 the judgment awarded pursuant to trial of the action, shall exceed
14 the total amount of liability of the governmental entity pursuant to
15 The Governmental Tort Claims Act.

16 G. If exemplary or punitive damages are awarded in an action
17 for personal injury or injury to personal rights including, but not
18 limited to, injury resulting from bodily restraint, personal insult,
19 defamation, invasion of privacy, injury to personal relations, or
20 detriment due to an act or omission of another, the interest on that
21 award shall begin to accrue from the earlier of the date the
22 judgment is rendered as expressly stated in the judgment, or the
23 date the judgment is filed with the court clerk.

24

1 H. If a judgment is rendered establishing the existence of a
2 lien against property and no rate of interest exists, the court
3 shall allow prejudgment interest at a rate prescribed pursuant to
4 subsection I of this section from the date the lien is filed to the
5 date of verdict.

6 I. For purposes of computing ~~either~~ postjudgment interest ~~or~~
7 ~~prejudgment interest~~ as authorized by this section, interest shall
8 be the prime rate, as listed in the first edition of the Wall Street
9 Journal published for each calendar year and as certified to the
10 Administrative Director of the Courts by the State Treasurer on the
11 first regular business day following publication in January of each
12 year, plus two percent (2%). For purposes of computing prejudgment
13 interest as authorized by this section, interest shall be determined
14 using a rate equal to the average United States Treasury Bill rate
15 of the preceding calendar year as certified to the Administrative
16 Director of the Courts by the State Treasurer on the first regular
17 business day in January of each year.

18 J. For purposes of computing postjudgment interest, the
19 provisions of this section shall be applicable to all judgments of
20 the district courts rendered on or after January 1, 2005. Effective
21 January 1, 2005, the method for computing postjudgment interest
22 prescribed by this section shall be applicable to all judgments
23 remaining unpaid rendered prior to January 1, 2005.

24

1 K. For purposes of computing prejudgment interest, the
2 provisions of this section shall be applicable to all actions which
3 are filed in the district courts on or after ~~January 1, 2005~~ the
4 effective date of this act, for which an award of prejudgment
5 interest is authorized by the provisions of this section.

6 SECTION 5. NEW LAW A new section of law not to be
7 codified in the Oklahoma Statutes reads as follows:

8 The amendatory provisions contained in Section 3 of this act
9 conform the statute to the holding in *Douglas v. Cox Retirement*
10 *Properties, Inc.*, 2013 OK 37, 302 P.2d 789 (Okla. 2013). The
11 amendatory provisions contained in Section 4 of this act conform the
12 statute to the amendatory provisions of Enrolled House Bill No. 1603
13 of the 1st Session of the 52nd Oklahoma Legislature, c. 228, O.S.L.
14 2009.

15 SECTION 6. It being immediately necessary for the preservation
16 of the public peace, health and safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

19
20 DIRECT TO CALENDAR.
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