

SENATE BILL No. 75

By Committee on Judiciary

1-20

1 AN ACT concerning the legal rate of interest; relating to the percentage
2 rate used to calculate interest; amending K.S.A. 16-201 and repealing
3 the existing section.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 16-201 is hereby amended to read as follows: 16-
7 201. **(a) Except as provided in subsection (b)**, creditors shall be allowed to
8 receive interest at the rate of ten percent **of 10%** per annum ~~of two~~
9 ~~percentage points below the rate per annum specified in K.S.A. 16-204(e)~~
10 ~~(1), and amendments thereto~~, when no other rate of interest is agreed upon,
11 for any money after it becomes due; for money lent or money due on
12 settlement of account, from the day of liquidating the account and
13 ascertaining the balance; for money received for the use of another and
14 retained without the owner's knowledge of the receipt; for money due and
15 withheld by an unreasonable and vexatious delay of payment or settlement
16 of accounts; for all other money due and to become due for the
17 forbearance of payment whereof an express promise to pay interest has
18 been made; and for money due from corporations and individuals to their
19 daily or monthly employees, from and after the end of each month, unless
20 paid within ~~fifteen~~ 15 days thereafter.

21 **(b) In all civil tort actions filed under chapter 60 of the Kansas**
22 **Statutes Annotated, and amendments thereto, in which the court**
23 **determines that prejudgment interest shall be awarded, the judgment**
24 **creditor shall be allowed to receive interest at the rate per annum of two**
25 **percentage points below the rate per annum specified in K.S.A. 16-**
26 **204(e)(1), and amendments thereto.**

27 Sec. 2. K.S.A. 16-201 is hereby repealed.

28 Sec. 3. This act shall take effect and be in force from and after its
29 publication in the statute book.