

# AN ACT

To amend section 2743.18 of the Revised Code to eliminate the condition that the state must have appealed a judgment or determination in a civil action not based on tortious conduct in order for a prevailing claimant on appeal to recover specified postjudgment interest.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 2743.18 of the Revised Code be amended to read as follows:

Sec. 2743.18. (A)(1) Prejudgment interest shall be allowed with respect to a civil action on which a judgment or determination is rendered against the state for the same period of time and at the same rate as allowed between private parties to a suit.

(2) The court of claims, in its discretion, may deny prejudgment interest for any period of undue delay between the commencement of the civil action and the entry of a judgment or determination against the state, for which it finds the claimant to have been responsible.

(B)(1) Except as otherwise provided in division (B)(2) of this section, interest shall be allowed on a judgment or determination rendered against the state in a civil action pursuant to this chapter at the same rate that is applicable to judgments rendered against private parties to a suit as specified in division (A) of section 1343.03 of the Revised Code and for each day between the date of entry of the judgment or the determination pursuant to division (C) of section 2743.10 of the Revised Code and the date of payment of the judgment or ~~the~~ determination pursuant to division (C)(3) or (6) of section 2743.19 of the Revised Code, or for sixty days from the date of entry of the judgment or the determination, whichever is less.

(2) If the court of claims renders a judgment pursuant to this chapter against the state in a civil action or the clerk of the court of claims enters an administrative determination under section 2743.10 of the Revised Code against the state in a civil action, ~~the state appeals the judgment or the determination~~, the civil action is not based on tortious conduct, and the claimant in the court of claims prevails in the any appeal of the judgment or

determination, postjudgment interest shall be paid with respect to the judgment or determination rendered against the state at the same rate that is applicable to judgments rendered against private parties to a suit as set forth in division (A) of section 1343.03 of the Revised Code and for each day between the date of entry of the judgment or ~~the~~ determination and the date of payment of the judgment or ~~the~~ determination pursuant to division (C)(3) or (6) of section 2743.19 of the Revised Code.

SECTION 2. That existing section 2743.18 of the Revised Code is hereby repealed.

SECTION 3. Section 2743.18 of the Revised Code, as amended by this act, applies to judgments rendered in the Court of Claims and to administrative determinations rendered by the Clerk of the Court of Claims on or after the effective date of this act.

---

*Speaker* \_\_\_\_\_ *of the House of Representatives.*

---

*President* \_\_\_\_\_ *of the Senate.*

Passed \_\_\_\_\_, 20\_\_\_\_

Approved \_\_\_\_\_, 20\_\_\_\_

---

*Governor.*

H. B. No. 60

4

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

---

*Director, Legislative Service Commission.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the \_\_\_ day of \_\_\_\_\_, A. D. 20\_\_\_\_.

---

*Secretary of State.*

File No. \_\_\_\_\_ Effective Date \_\_\_\_\_