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AB-1361 Civil actions: satisfaction of money judgments. (2019-2020)

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Assembly Bill No. 1361

CHAPTER 48

An act to add Section 695.215 to the Code of Civil Procedure, relating to civil actions.

[Approved by Governor July 01, 2019. Filed with Secretary of State July 01, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1361, Obernolte. Civil actions: satisfaction of money judgments.

Existing law requires money received in satisfaction of a money judgment to be credited against costs, interest, court fees, and the principal amount of the judgment in a specified order.

This bill would provide that payment in satisfaction of a money judgment, or a severable portion thereof, does not constitute a waiver of the right to appeal, except under certain circumstances. The bill would state that these provisions are declaratory of existing law.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 695.215 is added to the Code of Civil Procedure, to read:

695.215. Payment in satisfaction of a money judgment, including payment of a severable portion of the money judgment, interest thereon, and associated costs, does not constitute a waiver of the right to appeal, except to the extent that the payment is the product of compromise or is coupled with an agreement not to appeal. Payment in satisfaction of a severable portion of a money judgment, interest thereon, and associated costs, does not constitute a waiver of the right to appeal other portions of the money judgment.

SEC. 2. The addition of Section 695.215 of the Code of Civil Procedure made by this act does not constitute a change in, but is declaratory of, existing law.