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HOUSE BILL NO. 1790

House Amendments in [] - February 9, 2015

A *BILL to amend the Code of Virginia by adding a section numbered 2.2-4350.1, relating to payment by the Commonwealth and its agencies for goods and services; debts.*

Patron Prior to Engrossment—Delegate Massie

Referred to Committee on Appropriations

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 2.2-4350.1 as follows:****§ 2.2-4350.1. Prohibition on payment without an appropriation; prohibition on IOUs.**

A. As used in this section, "IOU" means a document issued by a governmental entity or representative (i) that acknowledges a debt but that does not specify all repayment terms, such as the repayment date, and (ii) when moneys are not available to pay a current debt.

B. 1. Notwithstanding any other provision of law, unless the General Assembly has appropriated funds to pay for a good or service or to make payment on a debt, no state department, agency, or other state entity nor any state official, officer, employee, or agent shall (i) attempt to pay for the good or service or attempt to make payment on the debt; (ii) issue any document or paper that guarantees payment, or purports to pay, for the good or service or guarantees payment, or purports to make payment, on the debt; or (iii) in any other way attempt to pay, guarantee payment, or purport to pay for the same.

2. The prohibition on payment under subdivision 1 shall not apply [(i)] to payments required by federal law [or (ii) if funds are lawfully available] .

C. In addition, in no case shall any (i) state department, agency, or other state entity or (ii) state official, officer, or employee in performing the duties of his position furnish an IOU in exchange for any good or service, as a means to pay for any good or service, or in lieu of a payment on a debt.

ENGROSSED

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