

2018 SESSION

INTRODUCED

18103291D

HOUSE BILL NO. 724

Offered January 10, 2018

Prefiled January 9, 2018

A *BILL to amend and reenact § 2.2-4347 of the Code of Virginia, relating to the Virginia Public Procurement Act; prompt payment; payment date.*

Patrons—Plum, Hope, Krizek, Simon and Tyler

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-4347 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-4347. Definitions.

As used in this article, unless the context requires a different meaning:

"Contractor" means the entity that has a direct contract with any "state agency" as defined herein, or any agency of local government as discussed in § 2.2-4352.

"Debtor" means any individual, business, or group having a delinquent debt or account with any state agency *for which* that obligation has not been satisfied or set aside by court order or discharged in bankruptcy.

"Payment date" means either (i) the date on which payment is due under the terms of a contract for provision of goods or services; or (ii) if such date has not been established by contract, (a) ~~thirty~~ 15 days after receipt of a proper invoice by the state agency or its agent or ~~forty-five~~ 45 days after receipt by the local government or its agent responsible under the contract for approval of such invoices for the amount of payment due, or (b) ~~thirty~~ 15 days after receipt of the goods or services by the state agency or ~~forty-five~~ 45 days after receipt by the local government, whichever is later.

"State agency" means any authority, board, department, instrumentality, institution, agency, or other unit of state government. The term shall not include any county, city or town, or any local or regional governmental authority.

"Subcontractor" means any entity that has a contract to supply labor or materials to the contractor to whom the contract was awarded or to any subcontractor in the performance of the work provided for in such contract.

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