

2022 SESSION

INTRODUCED

22102904D

HOUSE BILL NO. 818

Offered January 12, 2022

Prefiled January 12, 2022

A *BILL to amend and reenact § 2.2-4350 of the Code of Virginia, relating to Virginia Public Procurement Act; prompt payment of bills by state agencies; subcontractors to be paid first.*

Patron—Torian

Committee Referral Pending

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-4350 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-4350. Prompt payment of bills by state agencies.

A. Every state agency that acquires goods or services, or conducts any other type of contractual business with nongovernmental, privately owned enterprises shall promptly pay for the completely delivered goods or services by the required payment date, *except that no state agency shall furnish a final payment to any prime contractor without first ensuring that all subcontractors to such prime contractor on such contract have been paid in full.*

Payment shall be deemed to have been made when offset proceedings have been instituted, as authorized under the Virginia Debt Collection Act (§ 2.2-4800 et seq.).

B. Separate payment dates may be specified for contracts under which goods or services are provided in a series of partial deliveries or executions to the extent that such contract provides for separate payment for such partial delivery or execution.

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