

2018 Regular Session

SENATE BILL NO. 94

BY SENATOR APPEL

PUBLIC CONTRACTS. Provides that public entities are liable for interest due for failure to pay progressive stage or final payments on public contracts under certain conditions. (8/1/18)

AN ACT

To amend and reenact R.S. 38:2191(B), relative to public contracts; to provide for payment of interest on amounts due for failure to pay progressive stage or final payments under certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 38:2191(B) is hereby amended and reenacted to read as follows:

§2191. Payments under contract

* * *

B.(1) Any public entity failing to make any progressive stage payment within forty-five days following receipt of a certified request for payment by the public entity without reasonable cause shall be liable for reasonable attorney fees **and interest charged at one-half percent accumulated daily, not to exceed fifteen percent.** Any public entity failing to make any final payments after formal final acceptance and within forty-five days following receipt of a clear lien certificate by the public entity shall be liable for reasonable attorney fees **and interest charged at one-half percent accumulated daily, not to exceed fifteen percent.**

(2) Any interest received by the contractor pursuant to Paragraph (1) of

* * *