

SENATE BILL NO. 94

BY SENATOR APPEL AND REPRESENTATIVE AMEDEE

1 AN ACT

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

5 Be it enacted by the Legislature of Louisiana:

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

7 §2191. Payments under contract

8 * * *

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

17 (2) Any interest received by the contractor pursuant to Paragraph (1) of
18 this Subsection, shall be disbursed on a prorated basis among the contractor
19 and subcontractors, each receiving a prorated portion based on the principal
20 amount due within ten business days of receipt of the interest.

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PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____