

2020 Regular Session

HOUSE BILL NO. 758

BY REPRESENTATIVE ZERINGUE

PUBLIC CONTRACTS: Provides relative to payments under public contract

1 AN ACT

2 To amend and reenact R.S. 38:2191(C), relative to payment of obligations arising under

3 public contracts; to provide for limited waiver by contract of certain provisions

4 governing payments under contract; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

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

7 §2191. Payments under contract

8 * * *

9 C. The provisions of this Section shall not be subject to waiver by contract,

10 except for liquidated or delay damages.

11 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 758 Engrossed

2020 Regular Session

Zeringue

Abstract: Provides for limited waiver by contract of certain provisions governing payments under contract.

Present law requires public entities to promptly pay obligations from public contracts.

Present law specifies that the prompt payment obligations are not subject to waiver by contract.

Proposed law adds an exception authorizing waiver by contract for liquidated or delay damages.

(Amends R.S. 38:2191(C))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the original bill:

1. Grant limited authority to waive prompt payment obligations by contract for liquidated or delay damages.