

Introduced: 1/14/85
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY SHULTZ

2

HOUSE BILL NO. 30

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to payment for purchases by the
7 state; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 37.05 is amended by adding a new section to read:

10 Sec. 37.05.275. PAYMENT FOR STATE PURCHASES. (a) Payment for
11 purchases of goods or services provided a state agency must be made on
12 a required payment date that is

13 (1) the date on which payment is due under the terms of a
14 contract; or

15 (2) 30 days after receipt of a proper invoice for the
16 amount of the payment due, if a specific date on which payment is due
17 is not established by contract and if the invoice contains or is
18 accompanied by documents required by the contract or purchase order.

19 (b) If a seller offers a discount from the amount otherwise due
20 for property or services in exchange for payment within a specified
21 period of time, the state agency may make payment in an amount equal
22 to the discounted price only if payment is made within the specified
23 period of time.

24 (c) If payment for goods or services purchased by the state is
25 not made within 30 days of a required payment date under (a)(1) of
26 this section or on the required payment date specified in (a)(2) of
27 this section, the state shall pay interest on the unpaid balance from
28 the date of receipt of the proper invoice for the goods or services at
29 the rate provided by AS 45.45.010(a) unless an agreement exists

1 between the seller and the state that precludes the charging of inter-
2 est.

3 (d) This section does not apply

4 (1) if the cost of the goods or services purchased exceeds
5 \$500,000;

6 (2) to payment for any specific goods or services in dis-
7 pute after a seller of goods or services receives notice from the
8 state official responsible for authorizing payment for goods and
9 services that the amount of the invoice or quality of specific goods
10 or services is in dispute and stating the reasons for the dispute; or

11 (3) to a contract covered by AS 36.90.001.

12 (e) Interest paid under (c) of this section shall be charged to
13 the budget of the state agency that purchased the goods or services.

14 (f) In this section

15 (1) "dispute" means a determination by the state official
16 responsible for authorizing the payments for the purchase of goods or
17 services that the performance or price charged is not in compliance
18 with the terms of the contract or purchase order;

19 (2) payment is considered made on the date when the payment
20 is personally delivered to the seller or agent of the seller or on the
21 date the payment is mailed;

22 (3) "state agency" has the meaning given in AS 37.05.400
23 and also includes the legislative and judicial branches.

24 * Sec. 2. This Act does not apply to contracts entered into before the
25 effective date of this Act.

26 * Sec. 3. This Act takes effect October 1, 1985.