

By: Nichols

S.B. No. 1370

A BILL TO BE ENTITLED

AN ACT

relating to invoices and payments under certain state contracts for outside legal services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 402.0212, Government Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) An invoice submitted to a state agency under a contract for legal services as described by Subsection (a) must be:

(1) submitted to the attorney general by the agency's office of general counsel not later than the 25th day after the date the agency receives the invoice; and

(2) reviewed by the attorney general to determine whether the legal services for which the agency is billed are within the terms and scope of the legal services authorized by the contract and therefore [the invoice is] eligible for payment.

(b-1) A state agency's office of general counsel shall include with an invoice submitted under Subsection (b)(1) a written certification that the legal services for which the agency is billed are within the terms and scope of the legal services authorized by the contract and reasonably necessary to fulfill the contract.

SECTION 2. Section 2251.021, Government Code, is amended by amending Subsection (a) and adding Subsection (b-1) to read as

1 follows:

2 (a) Except as otherwise provided by this section
3 [~~Subsection (b)~~], a payment by a governmental entity under a
4 contract executed on or after September 1, 1987, is overdue on the
5 31st day after the later of:

6 (1) the date the governmental entity receives the
7 goods under the contract;

8 (2) the date the performance of the service under the
9 contract is completed; or

10 (3) the date the governmental entity receives an
11 invoice for the goods or service.

12 (b-1) A payment under a contract for legal services
13 described by Section 402.0212 owed by a state agency is overdue on
14 the 46th day after the date the agency receives an invoice for the
15 legal services.

16 SECTION 3. This Act takes effect September 1, 2019.