

116TH CONGRESS
1ST SESSION

S. 2852

To amend section 3903 of title 31, United States Code, to establish accelerated payments applicable to contracts with certain small business concerns, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 13, 2019

Ms. MCSALLY introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To amend section 3903 of title 31, United States Code, to establish accelerated payments applicable to contracts with certain small business concerns, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Accelerated Payments
5 for Small Businesses Act of 2019”.

1 **SEC. 2. ACCELERATED PAYMENTS APPLICABLE TO CON-**
2 **TRACTS WITH CERTAIN SMALL BUSINESS**
3 **CONCERNS UNDER THE PROMPT PAYMENT**
4 **ACT.**

5 Section 3903(a) of title 31, United States Code, is
6 amended—

7 (1) in paragraph (1)(B), by inserting “except as
8 provided in paragraphs (10) and (11),” before “30
9 days”;

10 (2) in paragraph (8), by striking “and” at the
11 end;

12 (3) in paragraph (9), by striking the period at
13 the end and inserting a semicolon; and

14 (4) by adding at the end the following:

15 “(10) for a prime contractor (as defined in sec-
16 tion 8701 of title 41) that is a small business con-
17 cern (as defined in section 3 of the Small Business
18 Act (15 U.S.C. 632)), to the fullest extent permitted
19 by law, require that the head of an agency establish
20 an accelerated payment date with a goal of 15 days
21 after a proper invoice for the amount due is received
22 if a specific payment date is not established by con-
23 tract; and

24 “(11) for a prime contractor (as defined in sec-
25 tion 8701 of title 41) that subcontracts with a small
26 business concern (as defined in section 3 of the

1 Small Business Act (15 U.S.C. 632)), to the fullest
2 extent permitted by law, require that the head of an
3 agency establish an accelerated payment date with a
4 goal of 15 days after a proper invoice for the
5 amount due is received if—

6 “(A) a specific payment date is not estab-
7 lished by contract; and

8 “(B) the prime contractor agrees to make
9 payments to the subcontractor in accordance
10 with the accelerated payment date, to the max-
11 imum extent practicable, without any further
12 consideration from or fees charged to the sub-
13 contractor.”.

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