

# Prompt Payment Laws in the 50 States

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The American Subcontractors Association amplifies the voice of and leads trade contractors to improve the business environment for the construction industry and to serve as a steward for the community. The ideals and beliefs of ASA are ethical and equitable business practices, quality construction, a safe and healthy work environment, integrity and membership diversity.



The Foundation of the American Subcontractors Association, Inc., a section 501(c)(3) organization under the U.S. Internal Revenue Code, is the educational arm of ASA. FASA is an independent entity devoted to development of quality educational information, providing financial support to develop manuals, videos-on-demand, webinars, and other materials.

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STATE	CITE	OWNER TO PRIME	PRIME TO SUB	SUB TO LOWER TIERS	INTEREST/FEEES	OTHER COMMENTS
<i>Alabama - Private</i>	Ala. Code §§ 8-29-1 to 8-29-8	30 days after invoice unless otherwise agreed. § 8-29-3(a)	7 days after payment unless otherwise agreed. § 8-29-3(b)	7 days after payment unless otherwise agreed. § 8-29-3(c)	1% per month (§ 8-29-3(d)); attorney fees to the prevailing party (§ 8-29-6).	Contracting parties cannot waive the right to receive interest before a payment is due § 8-29-5
<i>Alabama - Public</i>	Ala. Code § 41-16-3.	30 days after invoice. § 41-16-3(a)	7 days after payment unless otherwise agreed. § 41-16-3(a).	7 days after payment unless otherwise agreed. § 41-16-3(a).	Interest at the rate “currently charged by the state”. § 41-16-3(a). No fees provision.	An owner is required to notify a contractor in writing within 15 days of receipt of any disputed request for payment. A contractor, subcontractor, or sub-subcontractor is required to provide written notification within five days of disputed request for payment or notice of disputed request for payment. § 41-16-3(c)
<i>Alaska - Private</i>	None	n/a	n/a	n/a	n/a	
<i>Alaska - Public</i>	Alaska Stat. §§ 36.90.200-36.90.290, (Interest rate on amounts due set by Alaska Stat. § 45.45.010).	30 or 21 days (depending on source of public funds) from later of invoice or political subdivision’s actual receipt of grant money. § 36.90.200(a)	8 working days after the prime contractor receives payment from the owner. § 36.90.210(a)(1)	8 working days after the subcontractor receives payment from the prime contractor. § 36.90.210(b)(2)	Interest at the legal rate for payments due the prime, the 21st day after payment is due or, for lower tiers, from the date due. § 36.90.200(b) § 36.90.210(a)(3) § 36.90.210(b)(3). No fees provision.	
<i>Arizona - Private</i>	Ariz. Rev. Stat. §§ 32-1129 to 32-1129.06.	7 days after approval of invoice (i.e., not less than 21 days after invoice) unless otherwise provided in the contract and bid plans and specs. § 321129.01	7 days after the prime contractor receives payment from the owner. § 32-1129.02(B)	7 days after the subcontractor receives payment from the prime contractor. § 32-1129.02(B)	1.5% per month; attorney fees to “successful party.” § 32-1129.02(H); § 32-1129.01(Q)	Right to suspend work controlled by statute.

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<i>Arizona - Public</i>	Ariz. Rev. Stat. §§ 34- 221,41-2576, 41-2577, 28-6924 (highway), schools exempt: § 15-213.	14 days after invoice approved (i.e., not less than 21 days after invoice). A.R.S. § 34- 221 (C)(2) Final payment 60 days after acceptance. A.R.S. § 34- 221 (C)(5)	7 days after payment "unless otherwise agreed" except no contract may "materially alter" a contractor's, subcontractor's or supplier's right to "prompt and timely payment." A.R.S. § 34-221 (g)	7 days after payment "unless otherwise agreed" except no contract may "materially alter" a contractor/ subcontractor/o supplier's right to "prompt and timely payment." A.R.S. § 34-221 (g)	1.0% per month. A.R.S. § 34-221 (j) & (k). No fees provision.	
<i>Arkansas - Private</i>	None	n/a	n/a	n/a	n/a	
<i>Arkansas - Public</i>	Ark. Code § 19- 4-1411.	Maximum of 15 working days after invoice, excluding time of transmittal from one party to another. Ark. Code § 19-4-1411(a)	No provision	No provision	8% per annum. Ark. Code § 19-4-1411(a)(3). No fees provision.	
<i>California - Private</i>	Cal Bus & Prof Code § 7108.5; Cal. Civ. Code § 8800	30 days after invoice. § 8800(a)	No later than 7 days after the prime contractor receives payment from the owner, unless otherwise agreed. § 7108.5(a)	No later than 7 days after subcontractor receives payment from the prime contractor, unless otherwise agreed. § 7108.5(a)	2% per month for primes and subcontractors and owner. Prevailing party entitled to attorney fees & costs. § 7108.5(c); § 8800(c)	If there is a good faith dispute between the owner and direct contractor as to a progress payment due, the owner may withhold from the progress payment an amount not in excess of 150 percent of the disputed amount. § 8800(b)

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<b><i>California - Public</i></b>	Cal Pub Contract Code §§ 10261.5; 10262; 10853. Cal Bus & Prof Code § 7108.5.	30 days after invoice. § 10261.5(a). (39 days for state universities). § 10853.	Within 7 days after prime contractor receives payment from public owner. Cal Bus & Prof Code § 7108.5. Cal.Pub.Cont.Code §§ 10262, 10262.5, 20104.50(c)	Within 7 days after receipt of payment from prime contractor. Cal Bus & Prof Code § 7108.5. Cal.Pub.Cont.Code §§ 10262, 10262.5, 20104.50(c)	2% per month for primes. Prevailing party entitled to attorney fees & costs. § 8802c. 10% per annum for state agencies. § 10261.5(a)	For public utilities, see Cal. Civ. Code § 8802.
<b><i>Colorado - Private</i></b>	None	n/a	n/a	n/a	n/a	
<b><i>Colorado - Public</i></b>	Colo. Rev. Stat. §§ 24-91-101 to 24-91.103.	“at the end of each calendar month, or as soon thereafter as practicable”. § 24-91- 103(1)(a)	7 days after the prime contractor receives payment from the owner. § 24-91-103(2)	7 days after the subcontractor receives payment from the subcontractor. § 24-91-103(2)	For payments to subs, 15% per annum or amount specified in contract “whichever is higher.” No fees provision. § 24-91-103(2)	
<b><i>Connecticut - Private</i></b>	Conn. Gen. Stat. §§ 42-158i to 42-158j.	30 days after the invoice. § 42-158j(a)(1)	30 days after the prime contractor receives payment from the owner. § 42-158j(a)(2)	30 days after the subcontractor receives payment from the prime contractor. § 42-158j(a)(3)	1% per month; attorney fees only upon finding payment “unreasonably withheld.” § 42-158j(c)(4)	Notice of nonpayment must be given by certified mail. Statute gives subs and suppliers a direct right of action against owners who: (1) do not pay the prime contractor as required by this statute; and (2) do not pay the sub or supplier upon receipt of the sub or supplier's written demand. § 42-158j(e)
<b><i>Connecticut - Public</i></b>	Conn. Gen. Stat. §§ 4a- 71 to 4a-75, 49-41c.	45 days after invoice unless otherwise agreed. § 4a-71(b)	30 days after the subcontractor receives payment from the owner. § 49-41a-c.	30 days after the subcontractor receives payment from the prime contractor. § 49-41a-c	For payment to prime, interest at rate equal to "monthly effective yield for the [state's] Short Term Investment Fund." § 4a-71(a). No fees provision.	

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<b><i>Delaware - Private</i></b>	Del. Code, Title 6, §§ 3501 to 3509	Within 30 days after invoice or "end of billing period," whichever is later. § 3507(c); § 3506(a)(1)	30 days after the prime contractor payment from the owner unless otherwise agreed. § 3507(d); § 3506(b)(1)	15 days after the subcontractor receives payment from the subcontractor unless otherwise agreed. § 3507(d)	Interest required but rate not specified; § 3506(a)(2) and (b)(2). Unless otherwise agreed, attorney fees to "substantially prevailing party." § 3509(b)	Contingent payment expressly unenforceable § 3507(e).  Any amount of an interest penalty which remains unpaid at the end of any 30-day period shall be added to the principal amount of the debt and thereafter interest penalties shall accrue on such amount. § 3506(c).
<b><i>Delaware - Public</i></b>	Del. Code, Title 29, § 6516(f)	Progress payments by mutual agreement on contracts of less than 90 days. For all other contracts monthly progress payments must be made within 21 days after the estimate of work is certified and approved. OR If the approval of a federal agency is required, the payment shall be deemed timely if the payment is made within 10 days of a required federal agency's approval. § 6516(f)(1)	Within 21 days after the prime contractor receives payment from the owner, unless otherwise agreed. § 6516(f)(7)	Within 21 days after the prime contractor receives payment from the subcontractor, unless otherwise agreed. § 6516(f)(7)	A subcontractor or material supplier may require that interest under this subsection accrue on the unpaid balance at a rate not to exceed 2 % above the prime interest rate as established by the Federal Reserve. § 6516(f)(7)(d)	Damages for "amounts wrongfully withheld" permitted. § 6516(f)(8)

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<b><i>District of Columbia - Private</i></b>	D.C. Code § 27-132-136	7 days after the date specified in the contract unless otherwise agreed, 15 days after the earlier of (a) acceptance, (b) Owner takes possession or (c) payment request. D.C. Code § 27-132	7 days after the prime contractor receives payment from owner. D.C. Code § 27-134(a)	7 days after subcontractor receives payment from prime contractor. D.C. Code § 27-134(a)	1.5% per month. Reasonable attorney fees to prevailing contractor. § 27-133(1), § 27-135(1)	
<b><i>District of Columbia - Public</i></b>	D.C. Code §§ 2- 221.01 to 2- 221.06.	30 days, excluding legal holidays, after invoice unless otherwise agreed. § 2-221.02(a)(2)(ii)	7 days after prime contractor receives payment from owner. § 2-221.02(d)(1)	7 days after subcontractor receives payment from prime contractor. § 2-221.02(d)(3)	Interest at rate determined by mayoral regulation § 2-221.02(a)(1). No fees provision.	
<b><i>Florida - Private</i></b>	Fla. Stat. § 715.12 Fla. Stat. § 713.346(2)	Payment due per contract terms, once prime has submitted a request for payment and all affidavits and waivers required for owner to make payments. § 715.12(4)	According to the terms of the contract; 30 days after receipt of payment. § 713.346(2)	According to the terms of the contract; 30 days after receipt of payment. § 713.346(2)	Greater of contract interest rate or that specified by CFO per § 55.03. § 715.12(5)(a). § 715.12(6)(a)  No fees provision.	
<b><i>Florida - Public</i></b>	Fla. Stat. §§ 215.44, 218.735, 255.073, 255.076, 337.141	Invoices are to be approved no later than 20 days after receipt by CFO. Payment of approved invoices shall occur no later than 10 days. § 215.422(1)(2). FDOT gets 75 days from acceptance for final payment. FDOT § 337.141.	Within 10 days after the contractor's receipt of payment from owner. § 255.073(3)	Within 7 days after the subcontractor's receipt of payment from prime contractor. § 255.073(3)	Interest at 1% per month. § 255.073(4). For each day after 75 days, or 30 days after settlement of a claim, the department shall pay to the contractor interest. FDOT § 337.141(3)	Award court costs and reasonable attorney fees, including fees incurred through any appeal, to the prevailing party, if the court finds that the non-prevailing party withheld any portion of the payment that is the subject of the action without any reasonable basis in law or fact to dispute the prevailing party's claim to those amounts. § 255.076. Separate statutes for state (Ch. 255) and local entities (Ch. 218).

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<b><i>Georgia - Private</i></b>	Ga. Code §§ 13- 11-1 to 13-11-11	15 days after invoice. § 13-11-4(a)	10 days after prime contractor receives payment from owner. § 13-11-4(b)	10 days after subcontractor receives payment from prime contractor. § 13-11-4(b)	Interest at 1% per month unless otherwise agreed. § 13-11-7. Fees for “prevailing party” § 13-11-8	Once the sub's work is equal to 50% of the subcontract value, the contractor must reduce retainage "in the same manner as the contractor's retainage is reduced by the owner." The contractor has 10 days after receiving the owner's payment of retainage to pass that through to its subs. § 13-11-6
<b><i>Georgia - Public</i></b>	Ga. Code §§ 13- 11-1 to 13-11-11	15 days after invoice (exclude small localities — counties with populations less than 10,000, municipalities with populations less than 2,500). § 13-114(a)	10 days after receipt of payment from owner. § 13-11-4(b)	10 days after receipt of payment from prime contractor. § 13-11-4(b)	Interest at 1% per month unless otherwise agreed. § 13-11-7; Fees for “prevailing party” § 13-11-8	Once the sub's work is equal to 50% of the subcontract value, the contractor must reduce retainage "in the same manner as the contractor's retainage is reduced by the owner." The contractor has 10 days after receiving the owner's payment of retainage to pass that through to its subs. § 13-11-6
<b><i>Hawaii - Private</i></b>	HRS §§ 444-1 and 444- 25	No provision.	Within 10 days after the prime contractor receives an invoice from the subcontractor. § 444-25	Within 10 days after the prime contractor receives an invoice from the subcontractor. § 444-25	The subcontractor shall be entitled to receive interest on the unpaid amount at the rate of 1.5% per month from the date payment is due. § 444-25	If payment is contingent upon receipt of funds held in escrow or trust, the contractor shall clearly state this fact in the contractor's solicitation of bids. Interest shall not begin to accrue upon any unpaid balance until after the 10th day following receipt by the contractor of an invoice by the subcontractor. § 444-25
<b><i>Hawaii - Public</i></b>	HRS §§ 103-10	30 days after invoice. § 103-10(a)	Within 10 days after prime contractor receives payment from owner. § 103-10.5(a)	No provision.	Prime rate for each calendar quarter plus 2%, beginning on the 30th day following receipt of services, whichever is later, and ending on the date of the check. § 103-10(a)	
<b><i>Idaho - Private</i></b>	None	n/a	n/a	n/a	n/a	

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<b><i>Idaho - Public</i></b>	Idaho Code § 67- 2302.	60 days after invoice unless otherwise agreed. § 67-2302(2)	No provision	No provision	Interest penalties are due automatically when bills become overdue. It shall be up to each vendor to calculate and invoice interest at the time payment is due on the principal. Interest at the statutory rate. § 67-2302(3) (7)	
<b><i>Illinois - Private</i></b>	Title 815 ILCS 603/1- 603/99.	40 days after invoice (25 to approve, 15 to pay). Payment deemed approved 25 days after receipt of invoice unless owner notifies contractor in writing of reason for withholding payment. 815 ILCS 603/10(1)	15 days after receipt of payment by prime contractor from owner. 815 ILCS 603/10(2)	15 days after receipt of payment by subcontractor from prime contractor. 815 ILCS 603/10(2)	Interest at the rate of 10% per annum. 815 ILCS 603/15(a). No fees provision.	Contractor or sub may suspend performance without penalty if, after 7 calendar days written notice, payment as required is not made. 815 ILCS 603/15(b)
<b><i>Illinois - Public</i></b>	Title 50 ILCS505/1 - 505/9 (localities); title 30 ILCS 540/0.01- 540/7 (state).	90 days after invoice (30 days to approve and 60 days to pay). State: 30 ILCS 540/3 2(1.05) Localities: 50 ILCS 505/3 & 50 ILCS 505/4	15 days after prime contractor receives payment from owner. State: 30 ILCS 540/7(b) Localities: 50 ILCS 505/9	15 days after subcontractor receives payment from prime contractor. State: 30 ILCS 540/7(b) Localities: 50 ILCS 505/9	Interest at 1% per month, .033% per day, for primes. State: 30 ILCS 540/3-2(1.05); Localities: 50 ILCS 505/4; 2% per month for subs and sub-subs; State; 30 ILCS 540/7(b) Localities: 50 ILCS 505/9. No fees provision.	
<b><i>Indiana - Private</i></b>	None	n/a	n/a	n/a	n/a	

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<b><i>Indiana - Public</i></b>	Burns Ind. Code Ann. § 5-17-5-1	State: 35 days after invoice. IC 5-17-5-1(b)(1). Localities: at least 45 days after invoice. IC 5-17-5-1(c)(3). Some highway projects are subject only to highway dept. rules. IC 5-17-5-2	Ten days after receipt of payment.  (Ind. Code Ann. §§ 4-13.6-7-4(a), 5-16-5.5-5.)	Ten days after receipt of payment.  (Ind. Code Ann. §§ 4-13.6-7-4(a), 5-16-5.5-5.)	Interest at 1% per month IC 5-17-5-1(a). must be distributed to subcontractors if contractor was “unable to make timely payments” IC 5-17-5-4(b). No fees provision.	
<b><i>Iowa - Private</i></b>	None	n/a	n/a	n/a	n/a	
<b><i>Iowa - Public</i></b>	Iowa Code §§ 573.12 and 573.14.	14 days after receipt of a payment request unless extended by contract to a maximum of 30 days.  Iowa Code § 573.12(2)(a)(1)	7 days after the contractor receives payment from the owner for that subcontractor's work, or, a reasonable time after the contractor could have received payment for the subcontractor's work, if the reason for nonpayment is not the subcontractor's fault. § 573.12(2)	No provision	Interest shall accrue during the period commencing on day 31 following the completion of work and ending on the date of payment. § 573.14	If the contractor receives an interest payment under § 573.14, the contractor shall pay the subcontractor a share of the interest payment proportional to the payment for that subcontractor's work. § 573.12(3)
<b><i>Kansas - Private</i></b>	Kan. Stat. 16-1801 to 16-1807.	30 days after receipt of timely, properly completed, undisputed request for payment. 16-1803(d)	7 business days after prime contractor receives payment from owner. 16-1803(f)	7 business days subcontractor receives after payment from prime contractor. 16-1803(f)	Interest at 18% per year. 16-1803(e). Fees for “prevailing party.” 16-1806.	Right to suspend controlled by statute. 16-1805. Provisions inapplicable to construction of single and multi-family residential housing with 4 units or less § 16-1807

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<b><i>Kansas - Public</i></b>	Most construction other than road work: Kan Stat. §§ 16-1901 to 16-1908.  Construction not covered by Chapter 16: Kan. Stat. §§ 75- 6401 to 75-6407	Ch. 75: Per contract or, if not addressed in contract, 30 days after invoice for progress payments. § 75-6403(b)  Ch. 16: 30 days after receipt of invoice. § 16-1903(c)	Ch. 75: No provision.  Ch.16: 7 business days after prime contractor receives payment from owner if sub has made proper request. § 16-1903(f)	Ch. 75: No provision.  Ch.16: 7 business days after subcontractor receives payment from prime contractor if sub-sub has made proper request. § 16-1903(h)	Ch. 75: Interest at 1.5% per month, § 75-6403(d);  Ch. 16: 18% per annum	
<b><i>Kentucky - Private &amp; Public</i></b>	KRS §§ 371.400 to 371.425: (the "Kentucky Fairness in Construction Act"; cf. §§ 45.451-45.458 (prompt payment by government in general).	30 business days after invoice for progress payments. KRS § 371.405(5); contractor must give notice of nonpayment after 25 business days; 45 business days for progress payments by schools. KRS § 371.405(6); final payment 30 days after substantial completion.	15 business days after prime contractor receives payment from owner. KRS § 371.405(8)	15 business days after subcontractor receives payment from prime contractor. KRS § 371.405(8) and (10)	Interest at 12% per year. KRS § 371.405(6) and (9). Fees only if losing party "acted in bad faith." KRS § 371.415	There are two exceptions to the rules: they don't apply to: (a) "residential" construction or (b) construction for regulated utilities. § 371.425
<b><i>Louisiana - Private</i></b>	La. Rev. Stat. § 9:2784 La. Civ. Code Art. 2772	Owner liable to pay laborer's privilege 10 days after arbitration of amount or if contractor fails to dispute laborer's accounting. La. Civ. Code Art. 2772	14 days after payment. § 9:2784(c)	14 days after payment. § 9:2784(c)	Penalty of 1.5% per day up to 15% max; attorney fees for collection, and fees for defending against claim "without merit." § 9:2784(c)	If for any reason the contractor receives less than the full payment from the owner, then the contractor shall be obligated to disperse only the funds received on a prorated basis with the contractor, subcontractors, and suppliers each receiving a prorated portion based on the amount due on the payment. § 9:2784(b)

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<b><i>Louisiana - Public</i></b>	La. Rev. Stat. § 9:2784; 38:2191	All progressive stage payments and final payments shall be paid by contract. Final payment within 45 days after receipt of “clear lien certificate.” Progressive stage payment within 45 days after receipt of certified request for payment. § 38:2191(A) (B)	14 days after prime contractor receives payment from owner. § 9:2784(c)	14 days after subcontractor receives payment from prime contractor. § 9:2784(c)	Legal interest and attorney fees for bad faith. § 48:251.5(c); 38:2191(B)	
<b><i>Maine - Private &amp; Public</i></b>	10 M.R.S. § 1113; 1114; 1118. 5 M.R.S. § 1554  14 M.R.S. § 1602-C	Progress payments per contract. If not specified in contract, then 20 days after invoice or end of billing period whichever is later; final payment 30 days after “final acceptance.” § 1113(1) - (3). § 1116(1). Within 25 days after receipt of invoice, or within 15 days following another date by contract. 5 M.R.S. § 1554	Per contract or notwithstanding any contrary agreement, 7 days after prime contractor receives payment from owner or invoice, whichever is later. § 1114(1)-(3)	Per contract or notwithstanding any contrary agreement, 7 days after subcontractor receives payment from prime contractor or invoice, whichever is later. § 1114(1)-(3)	Interest on late payments accrues at the judgment rate or contract rate , whichever is greater (current judgment rate equals one-year U.S. Treasury Bill rate plus 6%). § 1113(4); 1114(4). 14 M.R.S. § 1602-C Attorney fees for “substantially prevailing party.” § 1118. State shall be liable for reasonable late fee. 5 M.R.S. § 1554	Chapter 10 does not apply to contracts entered into by the Department of Transportation. 10 § 1112

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<b><i>Maryland - Private</i></b>	Md. Code, Real Property, §§ 9-301 to 9-305.	Within 7 days of contracted payment date. If no contracted pay dates, within 30 days of issuance of occupancy permit or owner's possession, whichever is earlier. § 9-302(b)(1)	7 days after prime contractor receives payment from owner. § 9-302(3)	7 days after subcontractor receives payment from prime contractor. § 9-302(3)	Interest at the legal rate. Attorney fees only awarded for "bad faith" failure to pay "undisputed amounts." § 9-303	Not applicable to contracts for the construction and sale of single family residential dwellings. § 9-305.
<b><i>Maryland - Public</i></b>	Md. State Fin. & Proc. §§ 15-101 to 15-108, 15-226.	30 days after the later of (1) payment becomes due under procurement contract or (2) receipt of invoice. § 15-103.	10 days after prime contractor receives payment from owner. (§ 15-226)	10 days after subcontractor receives payment from prime contractor. (§ 15-226)	Interest at 9% per year for prime. (Md. Code. Ann., State Fin. & Proc. § 15-104) No provision on interest for subs. No fees provision.	Procurement officer must act within 2 days on subcontractor assertions of nonpayment. Md. State Fin. & Proc. § 15-226(e)
<b><i>Massachusetts - Private</i></b>	Mass. Gen. Laws ch. 149 § 29E	Requests for payment must be approved within 15 days after they are submitted, payment to be made within 45 days after approval (payment required within 60 total days from date of payment request) Mass. Gen. Laws ch. 149 § 29E(c)	Payment by contractor and each successive lower tier is extended by seven days from the time period applicable to the tier above. § 29E(c)	Payment by contractor and each successive lower tier is extended by seven days from the time period applicable to the tier above. § 29E(c)	Nothing in § 29E, but general interest statute adds 12% to judgments in contract actions. No provision for legal fees. Mass. Gen. Laws ch. 231 § 6C(f)	Applies to all private projects worth over \$3,000,000, except for construction of not more than 4 dwelling units. § 29E(a)  A non-paid contractor has an absolute right to stop work (subject to contract notice provisions) 30 days after payment is due, unless there is a good faith dispute as to whether payment is owing. § 29E(f)

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STATE	CITE	OWNER TO PRIME	PRIME TO SUB	SUB TO LOWER TIERS	INTEREST/FEEES	OTHER COMMENTS
<b>Massachusetts - Public</b>	MGL c. 30 §§ 39F, 39G, 39K; cf. Chapter 29 § 29C (prompt payment by government in general).	Progress payments 15 or 30 days after invoice depending on which agency (30 days in the case of the commonwealth, including local housing authorities. 15 days for all others). Mass. Gen. Laws ch. 30 § 39K,	Progress payments due “Forthwith after ... receiv[ing] payment”; final payment to "filed subcontractors" 65 days after substantial completion of that sub’s work. Mass. Gen. Laws ch. 30 §§ 39F(a) and (b)	No provision.	Federal Reserve “rediscount rate” plus 3% for prime to be prorated to affected subs. M.G.L.A. 30 § 39K. Public works payment bond statute provides legal fees for successful claimants.	Awarding authority must act on subcontractor assertions of nonpayment; direct payment to sub is a remedy. M.G.L.A. 30 § 39F.
<b>Michigan - Private</b>	None	n/a	n/a	n/a	n/a	
<b>Michigan - Public</b>	M.C.L.A. §§ 125.1561 — 125.1565 (highway, housing, schools excluded).	Later of 30 days after owner agent approves invoice, or 15 days after agency’s receipt of public funds from another agency. Mich. Comp. Laws § 125.1562(3)	No provision	No provision	Prime may charge “reasonable interest”. No attorney fees provision. Mich. Comp. Laws § 125.1562(4)	
<b>Minnesota - Private</b>	Minn. Stat. § 337.10. Minn. Stat. § 326.02	Monthly progress payments unless contract states otherwise. § 337.10(4)	Within 10 days after prime contractor receives payment from owner. § 337.10(3)	Within 10 days after receipt of payment by upper tier contractor. § 337.10(3)	Interest at 1.5% per month. Attorney fees for “party requesting payment who prevails in a civil action to collect.” § 337.10(3)	Prime or sub may suspend work under contract until undisputed payment is received. § 337.10(3) Inapplicable to associated professional contracts (including architecture, professional engineering, land surveying, landscape architecture, professional geoscience, or interior design services)(Minn. Stat. § 326.02)

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<b><i>Minnesota - Public</i></b>	Minn. Stat. §§ 15.71-74; 16A.124 - 16A.1245; 137.36	Monthly payments, unless otherwise agreed to. § 15.72(1). Within 30 days following the receipt of the invoice for services. § 16A.124(3). For local governments, 35 or 45 days after invoice or receipt of service whichever is later unless otherwise agreed. § 471.425(2)	Within 10 days of the prime contractor's receipt of payment from the state. § 16A.1245; Same for contracts with local government. § 471.425(4); 137.36	No provision	No interest penalties for contractors under a construction contract with state agency § 16A.124(5)(e), 1.5% per month on local government contracts. § 471.425(4). Prevailing subcontractor may collect attorney fees. § 16A.1245	
<b><i>Mississippi - Private</i></b>	Miss. Code. §§ 87-7-3, 87-7-5	Final payment 30 days after the earliest of: project completion or substantial completion according to contract; except in renovations, when the owner beneficially uses or occupies the property; or upon certification of completion by an architect or engineer §§ 87-7-3(b)	15 days after receipt of payment by the contractor or the upper-tier subcontractor §§ 87-7-5	15 days after receipt of payment by the contractor or the upper-tier subcontractor §§ 87-7-5	Interest at 1% per month for prime. Penalty of 0.5% per day up to 15% for subs. No fees provision. §§ 87-7-3, 87-7-5	Payments must be made according to the terms of the contract. §§ 87-7-3

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<b>STATE</b>	<b>CITE</b>	<b>OWNER TO PRIME</b>	<b>PRIME TO SUB</b>	<b>SUB TO LOWER TIERS</b>	<b>INTEREST/FEES</b>	<b>OTHER COMMENTS</b>
<b><i>Mississippi - Public</i></b>	Miss. Code §§ 31-5-25, 31-5-27.	Progress payments as agreed; final payment 45 days after substantial completion. Miss. Code Ann. § 31-5-25(1)	15 days after prime contractor receives payment from owner. Miss. Code Ann. § 31-5-27	No provision	Interest at 1% per month for prime. Penalty of 0.5% per day up to 15% for subs. No fees provision. Miss. Code Ann. §§ 31-5-25(1)(b), 31-5-27	
<b><i>Missouri - Private</i></b>	Rev. Mo. Stat. § 431.180. § 436.336	As agreed. § 431.180(1).	As agreed. § 431.180(1).	As agreed. 431.180(1).	Court “may” award “up to” 1.5% interest per month and attorney fees to prevailing party. § 431.180(2)	Not applicable to construction work for residential property of 4 units or less § 436.336
<b><i>Missouri - Public</i></b>	Rev. Mo. Stat. § 34.057.	Progress payments 30 days after the latter of (a) date of delivery of material, or performance; (b) date of invoice delivery; (c) date contractor approves owner’s estimate. Final payment is due within 30 days of due date as defined in statute. Mo. Rev. Stat. § 34.057(1)(1), Mo. Rev. Stat. § 34.057(1)(8)	15 days after prime contractor receives payment from owner. Mo. Rev. Stat. § 34.057(1)(7)	15 days after subcontractor receives payment from prime contractor. Mo. Rev. Stat. § 34.057(1)(7)	Interest at 1.5% per month if payment “not withheld in good faith for reasonable cause”. Court “may, in its discretion” award fees to prevailing party. Mo. Rev. Stat. §§ 34.057 (5) and (7)	

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<b>Montana - Private &amp; Public</b>	§§ 28-2-2101 to 28-2-2117, MCA.	Invoices deemed approved after 21 days unless alternate disclosed in bid docs. Payment is due 7 days after approval unless alternate disclosed in the bid docs. § 28-2-2103(1) <b>State contracts:</b> 30 days after receipt of a properly completed invoice or the services, whichever is later. (Mont. Code Ann. § 17-8-242(2))	Seven days after upper-tier contractor receives payment. Invoice required. § 28-2-2103(2)(a)	Seven days after upper-tier contractor receives payment. Invoice required. § 28-2-2103(3)(a)	Interest on periodic or final payments delayed more than 30 days from the date payment is required by contract accrues at a rate of 1.5% per month, prorated, beginning from the date that payment was due. §28-2-2104. Prevailing party is entitled to reasonable attorney fees and costs, both for trial and appeal and “may” be awarded in arbitration.” § 28-2-2105	Contract must provide for monthly billing cycle for the contractor to submit monthly progress payment requests and final payment requests to the owner. § 28-2-2103(1). Inapplicable to residential projects or improvements to real property intended for residential purposes with a total cost less than \$400,000 (Mont. Code Anno., § 28-2-2107 )
<b>Nebraska – Private &amp; Local Governments</b>	Neb. Rev. Stat. §§ 45-1201 to 45-1211	30 days after payment request pursuant to contract. § 45-1203(1).	10 days after the prime contractor receives payment from owner. § 45-1203(2).	10 days after subcontractor receives payment from prime contractor. § 45-1203(2)	1% per month to primes and subs. Interest only accrues if paying party is notified of the interest provision. Attorney fees may be awarded to plaintiff in addition to damages as court determines is appropriate. § 45-1205, 45-1211	Does not apply to construction of residential dwelling of less than five units. § 45-1207
<b>Nebraska - Public (State only)</b>	Neb. Stat. §§ 81- 2401 to 81-2408.	45 days after invoice or receipt of services whichever is later. Neb. Rev. St. § 81-2403(1)	No provision	No provision	Interest at statutory rate for prime. No fees provision. Neb. Rev. St. § 81-2404	

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<b><i>Nevada - Private</i></b>	Nev. Rev. Stat. §§ 624.606 to 624.630.	Progress payments: 21 days after invoice OR as otherwise agreed § 624.609. Final Payment: 30 days after availability of improvement for intended use OR occupancy or use by owner. § 624.620(1)	10 days after prime contractor receives payment from owner or as otherwise agreed, whichever is earlier § 624.624(1)(a); OR 30 days after the date a request for payment is submitted. § 624.624(1)(b)	10 days after subcontractor receives payment from prime contractor or as otherwise agreed, whichever is earlier § 624.624(1)(a); OR 30 days after the date a request for payment is submitted. § 624.624(1)(b)	Interest agreed rate OR at statutory prime rate plus 4%, whichever is higher § 624.630. Attorney fees “may” be awarded to prevailing party if statutory right to suspend and to terminate is exercised. §§ 624.610(6), 624-626(6)	Right to suspend controlled by statute §§ 624.610(1), 624.626(1) §§ 624.624-626 §§ 624.624-624 do not apply to FAA contracts, which are controlled by Acquisition Management System (Erection Co. v. Archer Western Contrs., LLC, No. 2:12-cv-00612-MMD-NJK, 2014 U.S. Dist. LEXIS 36180 (D. Nev. Mar. 17, 2014)).
<b><i>Nevada - Public</i></b>	Nev. Rev. Stat. §§ 338.400-338.645.	Contractor must submit progress bills at least monthly. Payment to prime contractor is required within 30 days after owner receives invoice for progress payment. Nev. Rev. St. § 338.515	10 days after prime contractor receives payment from owner. Nev. Rev. St. § 338.550	10 days after subcontractor receives payment from prime contractor. Nev. Rev. St. § 338.550	Interest at one statutory rate for primes and another for subs. Recovery of reasonable attorney fees to prevailing party. NRS § 338.530(1)(a)	
<b><i>New Hampshire - Private</i></b>	None	n/a	n/a	n/a	n/a	
<b><i>New Hampshire - Public</i></b>	None	n/a	n/a	n/a	n/a	

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<b><i>New Jersey - Private &amp; Public</i></b>	N.J. Stat. §§ 2A:30A-1, 30A-2; 40A:11-16.2 (localities), 52:32-40, 52:32-41 (older law not repealed).	30 days after billing date specified in contract (for localities, must be monthly); however, public entities get extension to billing cycle after “next scheduled public meeting.” N.J. Stat. § 2A:30A-2(a) 60 days from the specified contract. If none is specified, 60 days from the receipt of an invoice or the receipt of the goods or services, whichever is later. (N.J. Stat. Ann. § 52:32-34	10 days after prime contractor receives payment from owner unless otherwise agreed. N.J. Stat. § 2A:30A-2(b), N.J. Stat. Ann. § 52:32-41	10 days after subcontractor receives payment from owner unless otherwise agreed. N.J. Stat. § 2A:30A-2(b), N.J. Stat. Ann. § 52:32-41	Interest at prime plus 1% (some highway projects excluded). Attorney fees to prevailing party. N.J. Stat. § 2A:30A-2(c)  Interest shall be paid on the amount due to a business concern pursuant to a properly executed State invoice, when required, if the required payment is not made on or before the required payment date. N.J. Stat. Ann. §§ 52:32-34, <a href="#">52:32-41</a>	Right to suspend for nonpayment, until the required payment is made, is allowed in certain situations and controlled by statute. N.J.S.A. 2A:30A-2(d)
<b><i>New Mexico - Private &amp; Public</i></b>	N.M. Stat., §§ 57-28-1 to 57-28-11	Progress payments: 21 days after invoice N.M. Stat. § 57-28-5(A), or 45 days for local public bodies who print notice on each page of the bid plans. Final payment: 10 days after certification of completion upon presentment of required documents. N.M. Stat. § 57-28-8	7 days after prime contractor receives payment from owner. § 57-28-5(c)	7 days after subcontractor receives payment from prime contractor. § 57-28-5(c)	Interest at 1.5% per month. Court “may” award attorney fees. N.M. Stat. § 57-28-5, § 57-28-5	Inapplicable to construction contracts for residential property containing 4 or fewer units (N.M. Stat. Ann. § 57-28-3)

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<b><i>New York - Private</i></b>	N.Y. General Business Law §§ 756 et seq. (hereinafter NY GBL)	Progress payments: monthly billing cycle unless otherwise agreed; 42 days to pay (12 days to approve invoice plus 30 days to pay) unless otherwise agreed (NY GBL § 756-a(3)(a); owner gets time extension if lender fails to disburse loan and lender is legally required to do so. (NY GBL § 756-a(3)(a)(iii).	Subcontractor to be paid on interim and final invoice within 7 days after receipt of payment by prime contractor from owner. (NY GBL § 756-a(3)(b))	Sub-subcontractor to be paid on interim and final invoice within 7 days after receipt of payment by subcontractor from prime contractor. (NY GBL § 756-a(3)(b))	1% per month from the day following the date payment due or a higher rate if set by contract (NY GBL § 756-b(1)).	Contractor or sub must disclose to its sub at the time of contract, the due date for payments from the owner or the contractor. NY GBL § 756-a(4); Right to suspend work for failure to approve/pay invoice on 10-days' notice controlled by statute. NY GBL § 756-b(2), 757(2).
<b><i>New York - Public</i></b>	NY State Finance Law §§ 139-f, 179-f (pt. of Art. 11-A) (hereinafter NY SFL); NY General Municipal Law § 106-b; (hereinafter NY GML)	30 days after invoice for public agencies, authorities and corporations, but 15 days for small businesses (SFL § 179-f(2)); Public owner to approve and promptly pay less 2x value of any items to be completed. (SFL § 139-f(1)) (GML § 106-b(1))	Subcontractor to be paid 7 days after receipt of payment by prime contractor. (SFL § 139-f(2))(GML § 106-b(2))	Sub-subcontractor to be paid 7 days after receipt of payment by subcontractor from prime contractor. § 139-f(2))(GML § 106-b(2))	Interest for late payment is determined according to the overpayment rate set by the Commissioner of Taxation and Finance per Tax Law § 1096(e) (SFL § 179g & 139-f(2)) (GML § 106b)	Right to stop work may be denied by Agreement; Retainage limited to 5% unless, if prior to entering into subcontract, Contractor requests bond and sub is unable or unwilling to provide same; otherwise 10%. (SFL § 139-f (1)&(2); GML § 106-b (1) & (2))
<b><i>North Carolina - Private</i></b>	N.C. Gen. Stat. §§ 22C-1 to 22C- 6.	No provision.	7 days after prime contractor receives payment from owner. § 22C-3.	7 days after subcontractor receives payment from prime contractor. § 22C-3.	Interest at 1% per month. No fees provision. § 22C-5.	

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<b><i>North Carolina - Public</i></b>	N.C. Gen Stat. §§ 143- 134 (highway exclusion) to §§ 143-134.1, 143.135.	Progress payments per contract; final payment 45 days after acceptance or occupancy whichever is first. N.C. Gen. Stat. Ann. § 143-134.1(a)	7 days after prime contractor receives payment from owner. N.C. Gen. Stat. Ann. § 143-134.1(b)	7 days after subcontractor receives payment from prime contractor. N.C. Gen. Stat. Ann. § 143-134.1(b)	Interest at 1% per month. No fees provision. N.C. Gen. Stat. Ann. § 143-134.1(a)-(b)	
<b><i>North Dakota - Private</i></b>	No provision	n/a	n/a	n/a	n/a	
<b><i>North Dakota - Public</i></b>	N.D. Cent. Code §§ 13-01.1- 01 to 13-01.1-06.	45 days after invoice unless otherwise agreed. N.D. Cent. Code § 13-01.1-01	45 days after prime contractor receives payment from owner. N.D. Cent. Code § 13-01.1-06	45 days after subcontractor receives payment from prime contractor. N.D. Cent. Code § 13-01.1-06	Interest at 1.75% per month unless otherwise agreed. N.D. Cent. Code §§ 13-01.1-02, 13-01.1-03, 13-01.1-06	
<b><i>Ohio - Private</i></b>	Ohio Rev. Code §§ 4113.61.	No provision.	10 days after prime contractor receives payment from owner. § 4113.61(A)(1).	10 days after subcontractor receives payment from prime contractor. § 4113.61(A)(2).	Interest at 18% per year. §§ 4113.61(A)(1) & (2). Attorney fees to prevailing party when equitable.	
<b><i>Ohio - Public</i></b>	Ohio Rev. Code §§ 126.30.	30 days after invoice unless otherwise agreed. Ohio Rev. Code Ann. §§ 126.30(A), 153.14	10 days after prime contractor receives payment from owner. Ohio Rev. Code Ann. § 4113.61(A)(1)	10 days after subcontractor receives payment from prime contractor. Ohio Rev. Code Ann. § 4113.61(A)(1)	Interest at statutory rate for primes, compounded monthly § 126.30(E).	
<b><i>Oklahoma - Private</i></b>	Okla. Stat., Title 15, § 820	28 days after billing or per contract. § 820(A)(2)(b)	10 days after prime contractor receives payment from owner, or per contract. § 820(A)(4)	n/a	n/a	Certain contractual provisions unenforceable if project size exceeds 4 dwelling units (§ 821 )

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<b><i>Oklahoma - Public</i></b>	Okla. Stat., Title 61, §§ 221-227 (highway excluded); Title 61, §§ 113.1-113.3 (retainage generally).	30 days from invoice submission. Okla. Stat. tit. 61, § 223(A)	10 days after prime contractor receives payment from owner. Okla. Stat. tit. 61, § 224(A)-(B)	7 days after subcontractor receives payment from prime contractor. Okla. Stat. tit. 61, § 224(A)-(B)	Owner delay results in interest to prime and sub pursuant to Okla. Stat. Title 61, § 41.4b. Prime delay results in interest to sub at 1.5%.	Right to suspend controlled by statute.
<b><i>Oregon - Private</i></b>	Or. Rev. Stat. § 701.620 et seq.	14 days after invoice for progress payments. 7 days after acceptance for final payments. § 701.625(3)	7 days after prime contractor receives payment from owner. § 701.630(2)(a)	7 days after subcontractor receives payment from prime contractor. § 701.630(2)(a)	Interest at 1.5% per month from date payment is due for primes and subs. §§ 701.625(11), 701.630(6). Attorney fees for "prevailing party." §§ 701.625(14), 701.630(7).	PPA excludes contracts for construction of low-rise residential dwellings (3 stories or less) and low-income housing projects (§ 701.645 )
<b><i>Oregon - Public</i></b>	Or. Rev. Stat. §§ 279C.320, .505, .570, .580	30 days after invoice for progress payments; 30 days after acceptance for final payment. § 279C.570(2), (8)	10 days after prime contractor receives payment from owner. § 279C.580(3)(a)	10 days after subcontractor receives payment from subcontractor. § 279C.580(3)(a)	Interest at statutory rate up to 30% for progress payments to prime; 1.5% per month for final payment to prime; different statutory rate for subs. No fees provision. § 279C.570(2), (8)	
<b><i>Pennsylvania - Private</i></b>	73 P.S. §§ 501-516	Unless otherwise agreed by the parties, for interim and final payments, 20 days after the end of a billing period or delivery of an invoice, whichever is later. § 505(c)	14 days after prime contractor receives payment from owner. § 507(c)	14 days after subcontractor receives payment from prime contractor § 507(c)	1% per month unless otherwise agreed § 505(d); § 507(d); § 509(d) additional penalty of 1% per month for amounts "wrongfully withheld" § 512(a). Fees to substantially prevailing party. § 512(b)	Excludes improvements to real property consisting of six or fewer residential units constructed simultaneously or contracts for purchase of materials by a person performing work on her own property. § 503

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<b><i>Pennsylvania - Public</i></b>	62 Pa. Con Stat. §§ 3931-3935	45 days after invoice unless otherwise agreed to progress payments; final payment inspection within 30 days of request and payment within 45 days of inspection. § 3932(b)	14 days after prime contractor receives payment from owner. § 3933(c)	14 days after subcontractor receives payment from prime contractor. § 3933(c)	Interest at statutory rate for overdue taxes §§ 3932(c), 3933(d); 1% per month additional penalty for amounts “withheld in bad faith” § 3935(a). Attorney fees “may” be awarded but only in cases of “bad faith.” § 3935(B)	
<b><i>Rhode Island - Private</i></b>	None	n/a	n/a	n/a	n/a	
<b><i>Rhode Island - Public</i></b>	R.I. Gen. Laws §§ 42- 11.1-1 to 42-11.1-16	30 days of receipt of proper invoice or per contract. R.I. § 42-11.1-3(a)	10 days after prime contractor receives payment from owner. Contractor may set off any debt owed by subcontractor to contractor, or withholdings permitted by contract. R.I. § 42-11.1- 3(b)	No provision	Interest at prime rate reported on money market page of Wall Street Journal on first business day of each month; no interest provision for subs. R.I. § 42-11.1- 6 No fees provision	Doesn't apply to contractors or subs from contracts awarded by Dep. Of Transportation unless subcontractor provides a payment and performance bond in amount equal to the contract between the contractor and sub. R.I. § 42-11.1- 3(c)
<b><i>South Carolina - Private</i></b>	S.C. Code §§ 29- 6-10 et seq.	21 days after invoice § 29- 6-30	7 days after prime contractor receives payment from owner. § 29- 6-30	7 days after subcontractor receives payment from prime contractor. § 29- 6-30	Interest at 1% per month if warning and statutory cite are on the invoice; rate may be varied if rights under statute are specifically waived. No fees provision. § 29- 6-50	PPA excludes contracts with residential homebuilders or improvements to real property intended to have 16 or fewer units § 29-6-60. Frequency of payments may be determined by contract § 29-6-40 )

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<b><i>South Carolina - Public</i></b>	S.C. Code §§ 29- 6-10 et seq.	21 days after invoice § 29- 6-30	7 days after prime contractor receives payment from owner. § 29- 6-30	7 days after subcontractor receives payment from subcontractor. § 29- 6-30	Interest at 1% per month if warning and statutory cite are on the invoice; rate may be varied if rights under statute are specifically waived. No fees provision. § 29- 6-50	
<b><i>South Dakota - Private</i></b>	None	n/a	n/a	n/a	n/a	
<b><i>South Dakota - Public</i></b>	S.D. Codified Laws §§ 5- 26-1 to 5-26-8	45 days after invoice unless otherwise agreed. S.D. Codified Laws § 5-26-2	30 days after prime contractor receives payment from owner. S.D. Codified Laws § 5-26-6	No provision	Interest at 1.5% or contract rate. No fees provision. S.D. Codified Laws §§ 5-26-3, 5-26-6 and 5-18B-11	
<b><i>Tennessee - Private</i></b>	Tenn. Code §§ 66-34- 101 to 66- 34-703	Progress payments: 30 days after invoice submitted in accordance with contract schedule. Final payment: after substantial completion per contract. § 66-34-202(a),	30 days after invoice submitted in accordance with contract schedule, subject to any condition precedent for payment clause. § 66-34-202(a)	30 days after invoice submitted in accordance with contract schedule, subject to any pay-if-paid clause. § 66-34-202(a)	Interest at statutory rate unless otherwise agreed. Fees “may” be awarded only if “non-prevailing party has acted in bad faith.” § 66-34-601	Inapplicable to construction projects of 4 or less single family residential units ( § 66-34-702 )
<b><i>Tennessee - Public</i></b>	Tenn. Code §§ 12-4-701 to 12-4- 707.	45 days after invoice unless otherwise agreed. Tenn. Code § 12-4-703	30 days after prime contractor receives payment from owner. Tenn. Code Ann. § 12-4-707	30 days after invoice submitted in accordance with contract schedule, subject to any pay-if-paid clause. Tenn. Code Ann. § 12-4-707	Interest at 1.5% per month. No fees provision. Tenn. Code §§ 12-4-704, 12-4-707.	

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<b>STATE</b>	<b>CITE</b>	<b>OWNER TO PRIME</b>	<b>PRIME TO SUB</b>	<b>SUB TO LOWER TIERS</b>	<b>INTEREST/FEES</b>	<b>OTHER COMMENTS</b>
<b><i>Texas - Private</i></b>	Tex. Prop. Code §§ 28.001 to 28.010.	35 days after invoice. Tex. Prop. Code § 28.002(a)	7 days after prime contractor receives payment from owner. Tex. Prop. Code § 28.002(b).	7 days after subcontractor receives payment from prime contractor. Tex. Prop. Code § 28.002(c).	Interest at 1.5% per month. Tex. Prop. Code § 28.004. Court “may” award attorney fees. Tex. Prop. Code § 28.005.	Right to suspend work controlled by statute. Tex. Prop. Code § 28.009.
<b><i>Texas - Public</i></b>	Tex. Govt. Code §§ 2251.001	31 days after invoice or receipt of goods or services whichever is later. Tex. Govt. Code § 2251.021	10 days after prime contractor receives payment from owner. Tex. Govt. Code § 2251.022.	10 days after subcontractor receives payment from prime contractor. Tex. Govt. Code § 2251.023	Interest at prime plus 1%. Tex. Govt. Code § 2251.025. Fees for “prevailing party.” Tex. Govt. Code § 2251.043	A payment is considered mailed on the date it is postmarked. Tex. Govt. Code § 2251.024.
<b><i>Utah - Private</i></b>	Utah Code §§ 13-8-5, 58-55- 603.	No provision for progress payments; final retention payment 45 days from later of invoice or certificate of occupancy or final acceptance notice or partial/complete. § 13-8-5	Progress payments 30 days after prime contractor receives payment from owner; final retention payment 10 days after prime contractor receives payment from owner. § 58-55-603(2)	30 days after subcontractor receives payment from prime contractor; final retention payment 10 days after prime contractor receives payment from subcontractor. § 58-55-603(3)	Interest at 1% per month plus for subs, reasonable costs of collection and attorney fees. Utah Code § 58-55-603; Fees for prevailing party in suit for retainage.	Retention may not exceed 5% of the payment. Utah Code § 13-8-5(3).
<b><i>Utah - Public</i></b>	Utah Code §§ 13-8-5, 15-6-1 to 15-6-6	60 days unless otherwise agreed for progress payments; final retention payment 45 days after later of invoice or certificate of occupancy or final acceptance notice or partial/complete occupancy. Utah Code § 15-6-2	Progress payments 30 days after prime contractor receives payment from owner. Final retention payment 10 days after prime contractor receives payment from owner. Utah Code § 15-6-5	30 days after prime contractor receives payment from prime contractor; final retention payment 10 days after prime contractor receives payment from subcontractor. Utah Code § 15-6-5	Interest at IRS refund rate plus 2% for prime; interest at 15.5% for sub. Utah Code § 15-6-5. Fees for prevailing party in suit for retainage.	These provisions do not apply to contracts involving federal funds, or mixed state and federal funds. Utah Code § 15-6-6.

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<b><i>Vermont - Private &amp; Public</i></b>	Vt. Stat., Title 9, §§ 4001-billing 4009	Except as otherwise agreed, for interim and final invoices, 20 days after the end of the billing period or delivery of invoice, whichever is later. § 4002(a).	7 days after prime contractor receives progress or final payment from owner, OR upon receipt of invoice, unless otherwise agreed. § 4003(c)	7 days after subcontractor receives progress or final payment from prime contractor, OR upon receipt of invoice, unless otherwise agreed. § 4003(c)	Interest at statutory rate § 4002(d). Attorney fees for prevailing party § 4007(c). Penalty of 1% per month for amounts “wrongfully withheld.” § 4007(b) and penalty of 1.5% per month for amounts “wrongfully withheld.”	
<b><i>Virginia - Private</i></b>	None	n/a	n/a	n/a	n/a	
<b><i>Virginia - Public</i></b>	Va. Code §§ 2.2- 4347 to 2.2-4356.	Owners shall promptly pay for the completely delivered goods or services by the required payment date. (Va. Code Ann. § 2.2-4350(A).; 45 days after invoice or receipt of services whichever is later, unless otherwise agreed for localities. Va. Code Ann. § 2.2-4352	7 days after prime contractor receives payment from owner. Va. Code Ann. § 2.2-4354	7 days after subcontractor receives payment from prime contractor. Va. Code Ann. § 2.2-4354	Interest at prime for state agency primes unless other rate is agreed; interest at 1% per month for subs and locality primes unless another rate is agreed. Va. Code § 2.2-4354(4). No fees provision.	Notice of defects that would prevent timely payment must be sent within 15-days after receipt of the invoice or the defective goods or services. Va. Code § 2.2-4351
<b><i>Washington - Private</i></b>	None	n/a	n/a	n/a	n/a	

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<b><i>Washington - Public</i></b>	Wash. Rev. Code §§ 39.76.010 to 39.76.40, 39.04.250.	30 days after invoice or receipt of services, whichever is later, unless "funded by grant or federal money" not yet received by public body. § 37.76.011	10 days after prime contractor receives payment from owner. § 39.04.250(1)	10 days after subcontractor receives payment from subcontractor. § 39.04.250(1)	1% per month for primes. RCWA § 39.76.011; interest at highest statutory rate for subs. RCW § 39.04.250(3). Attorney fees for "prevailing party." RCWA § 39.76.040	
<b><i>West Virginia - Private</i></b>	None	n/a	n/a	n/a	n/a	
<b><i>West Virginia - Public</i></b>	W. Va. Code §§ 7-5-7 (county), 8-13-22d (municipality).	60 days after invoice. W. Va. Code, §§ 7-5-7(b)(1) and 8-13-22d	No provision	No provision	Interest at statutory rate for primes if payment not made within 60 days. W. Va. Code § 7-5-7(b)(1); and § 8-13-22d(b)(1), respectively. No fees provision.	
<b><i>Wisconsin - Private</i></b>	None	n/a	n/a	n/a	n/a	
<b><i>Wisconsin - Public</i></b>	Wis. Stat. §§ 16.528 (state); 16.53(2) (rejection of invoice); § 66.0135 (local).	30 days after invoice or receipt "and acceptance" of services, whichever is later. Wis. Stat. § 16.528(1)(b)(3)	7 days after prime contractor receives payment from owner. Wis. Stat. § 16.528(2)(a)	7 days after subcontractor receives payment from prime contractor. Wis. Stat. § 16.528(2)(a)	Interest at 12% per year. Wis. Stat. § 71.82. Attorney fees to prevailing party in action for interest. § 16.528(6)	Payments are timely if "mailed, delivered or transferred" to the subcontractor within 7 days after the principal contractor receives payment from the owner.
<b><i>Wyoming - Private</i></b>	None	n/a	n/a	n/a	n/a	
<b><i>Wyoming - Public</i></b>	Wyo. Stat. §§ 16-6-601 to 16-6-602.	45 days after invoice. Wyo. Stat. Ann. § 16-6-602	n/a	n/a	Interest at 1.5% per month, unless there is a good faith dispute. Wyo. Stat. Ann. § 16-6-602	

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