

Payment of Old Invoices

Analysis of facts surrounding a request to pay an old invoice:

This is an administrator policy call to make. 9-1-404 sets a time frame for presentation of claims. Unless I misunderstand the facts, the invoices were presented, but for some reason were not paid. If this is the case, 9-1-404 wouldn't apply. If this is not the case, and the vendors just now got around to presenting the invoices, 9-1-404 would still allow the agency to pay the invoices, because that statute is not a "statute of limitations" that would completely prohibit payment, but a way for the State to be on notice of a claim and choose not to pay if it had no notice or funds. Given that the agency likely asked for these services to be performed and that it has the budget available to pay, it can do so without concern over 9-1-404. Documented internal controls, however, would likely keep this from happening again, and the agency might want to work on having a written process for following up when invoices have not been timely received for services they have requested and had performed.