

Act 57 of the 1989 Regular Session.

Act 57

HB1085

By: Representative Thicksten

"AN ACT TO AMEND THE STATE PURCHASING LAW TO PROVIDE THAT MRDDS SCHOOLS ARE LOCAL PUBLIC PROCUREMENT UNITS."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Ark. Code 19-11-206 (2) is hereby amended to read as follows:

(2) "Local public procurement unit" means any county, city, town, state agency, and any other subdivision of the state or public agency thereof; public authority; public educational, health, or other institution; any non-profit corporation during such time that it contracts with the Division of Developmental Disabilities Services of the Arkansas Department of Human Services to provide services to the developmentally disabled, provided such contract exceeds \$75,000 per year; and to the extent not prohibited by law, any other entity which expends public funds for the acquisition or leasing of commodities and services.

SECTION 2. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 4. EMERGENCY. It is hereby found and determined by the General Assembly that the state purchasing law apparently does not now apply to non-profit corporations under contract with the Department of Human Services to provide services to people with developmental disabilities; that the functions performed by these non-profit corporations are a governmental function and therefore those entities should be included in a definition of "state agencies" for purposes of the state purchasing law; that this Act accomplishes the same; and that in order to make the state purchasing law applicable to those non-profit corporations as soon as possible, that this Act should be given immediate effect. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

APPROVED: February 14, 1985
