

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Representative B. Wood**

**A Bill ACT 12 OF 1991**  
**HOUSE BILL 1059**

**For An Act To Be Entitled**

8 "AN ACT TO AMEND ARKANSAS CODE 22-2-102(1) AND 22-2-103(a)  
9 TO PROVIDE THAT THE TERM 'CAPITAL IMPROVEMENTS' AS USED IN  
10 THE ARKANSAS STATE BUILDING SERVICES ACT SHALL NOT INCLUDE  
11 AND THAT THE STATE BUILDING SERVICES SHALL HAVE NO  
12 RESPONSIBILITY OR AUTHORITY WITH RESPECT TO LANDS,  
13 BUILDINGS AND FACILITIES ACQUIRED BY AN ARKANSAS STATE  
14 RETIREMENT SYSTEM AS AN INVESTMENT OR AS A RESULT OF THE  
15 INVESTMENT OF ASSETS OF THE SYSTEM; AND FOR OTHER  
16 PURPOSES."

17  
18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20 SECTION 1. Arkansas Code 22-2-102(1) is hereby amended to read as  
21 follows:

22 "(1) 'Capital improvement' means all lands, buildings, structures,  
23 utilities, on-site and off-site improvements, and other appertaining  
24 improvements, existing or future, and all construction, repairs, alterations,  
25 and renovations thereof which are undertaken, owned, operated, or otherwise  
26 managed by a state agency, except that capital improvements shall not include  
27 construction and reconstruction of roads and bridges in the state highway  
28 system by the State Highway Commission, nor shall the term 'capital  
29 improvements' include any building, facility, plant, structure, or other  
30 improvements constructed by or in behalf of the Arkansas State Highway and  
31 Transportation Department or the State Highway Commission, nor shall the term  
32 'capital improvement' include any lands, buildings or other structures or  
33 facilities now owned or hereafter acquired by an Arkansas State Retirement  
34 System as an investment or as a result of the investment of assets of the  
35 system;"

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1 SECTION 2. Arkansas Code 22-2-103(a) is hereby amended to read as  
2 follows:

3 "(a) The provisions of this chapter shall not apply to the construction  
4 and reconstruction of roads and bridges in the state highway system by the  
5 State Highway Commission, nor to any lands, buildings or other structures or  
6 facilities now owned or hereafter acquired by an Arkansas State Retirement  
7 System as an investment or as a result of the investment of assets of the  
8 system."  
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10 SECTION 3. All provisions of this act of a general and permanent nature  
11 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
12 Revision Commission shall incorporate the same in the Code.  
13

14 SECTION 4. If any provision of this act or the application thereof to  
15 any person or circumstance is held invalid, such invalidity shall not affect  
16 other provisions or applications of the act which can be given effect without  
17 the invalid provision or application, and to this end the provisions of this  
18 act are declared to be severable.  
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20 SECTION 5. All laws and parts of laws in conflict with this act are  
21 hereby repealed.  
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23 SECTION 6. EMERGENCY. It is hereby found and determined by the General  
24 Assembly that one or more Arkansas State Retirement Systems own lands,  
25 buildings and facilities as a result of investment of assets of the systems;  
26 that to protect the interests of the systems, it is essential that they be  
27 permitted to operate and maintain such properties and that this act is  
28 immediately necessary to accomplish this purpose. Therefore, an emergency is  
29 hereby declared to exist and this act being necessary for the preservation of  
30 the public peace, health and safety shall be in full force and effect from and  
31 after its passage and approval.  
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35 APPROVED: 2-1-91

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