

*As Engrossed: 3/27/91*

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Senators Russ and Harriman**

**A BILL ACT 1221 OF 1991**  
**SENATE BILL 692**

**For An Act To Be Entitled**

8 "AN ACT TO AMEND ARKANSAS CODE 19-4-1701 TO REVISE THE  
9 DEFINITION OF CONTRACTOR AS IT RELATES TO PROFESSIONAL AND  
10 CONSULTANT SERVICES OF STATE AGENCIES; AND FOR OTHER  
11 PURPOSES."

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

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15 SECTION 1. Arkansas Code 19-4-1701 is amended to read as follows:

16 "19-4-1701. Definitions.

17 As used in this subchapter, unless the context otherwise requires:

18 (1) 'State agencies' means all departments, agencies, boards,  
19 commissions, and institutions of higher education of the State of Arkansas;

20 (2) 'Contractor' means any person or organization which executes a  
21 contract with a state agency under which the person or organization agrees to  
22 provide professional services or consultant services to the agency and the  
23 individuals performing the services are not state employees occupying regular  
24 full-time or part-time or extra help positions provided by law; provided,  
25 however, that nothing herein shall be construed to prohibit an institution of  
26 higher education from executing a contract with a state agency under which  
27 services will be performed by employees of the institution of higher  
28 education. An employee or employees of an institution of higher education  
29 performing such services to a state agency may receive additional compensation  
30 provided:

31 (A) The institution of higher education requests and receives  
32 written approval from the Chief Fiscal Officer of the State as to the amount  
33 of additional compensation to be paid to any employee; and

34 (B) The total salary payments received from the employee's  
35 regular salaried position and amounts received for services performed under a  
36 professional services contract shall not exceed one hundred twenty-five

1 percent (125%) of the maximum annual salary authorized by law for the  
2 employee's position with the institution of higher education. *No Director or*  
3 *any other department head of any agency of this state shall receive additional*  
4 *compensation under this section."*

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

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10 SECTION 3. If any provision of this act or the application thereof to  
11 any person or circumstance is held invalid, such invalidity shall not affect  
12 other provisions or applications of the act which can be given effect without  
13 the invalid provision or application, and to this end the provisions of this  
14 act are declared to be severable.

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16 SECTION 4. All laws and parts of laws in conflict with this act are  
17 hereby repealed.

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*/s/Russ, et al*

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APPROVED: 4-10-91

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