

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Senator Chaffin**

A Bill

ACT 237 OF 1993
SENATE BILL 336

For An Act To Be Entitled

8 "TO PROVIDE THAT ALL GOODS AND SERVICES PROVIDED BY THE
9 ARKANSAS DEPARTMENT OF CORRECTIONS_ PENAL INDUSTRIES TO
10 THE COUNTIES OF ARKANSAS WILL BE EXEMPTED FROM THE
11 COMPETITIVE BIDDING PROCESS; AND FOR OTHER PURPOSES."

Subtitle

14 **"PURCHASE OF DEPARTMENT OF CORRECTION GOODS BY**
15 **COUNTIES."**

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

19 **SECTION 1. Arkansas Code Annotated 14-22-106 is amended to read as follows:**

20 **"14-22-106. Purchases exempted from soliciting bids.**

21 **The following listed commodities may be purchased without soliciting bids:**

22 **(1) Perishable foodstuffs for immediate use;**

23 **(2) Unprocessed feed for livestock and poultry;**

24 **(3) Advanced emergency medical services provided by a nonprofit corporation and**
25 **proprietary medicines when specifically requested by a professional employee;**

26 **(4) Books, manuals, periodicals, films, and copyrighted educational aids for use in**
27 **libraries and for other informational material for institutional purposes;**

28 **(5) Scientific equipment and parts therefor;**

29 **(6) Replacement parts and labor for repairs of machinery and equipment; (7)**

30 **Commodities available only from the federal government;**

31 **(8) Any commodities needed in instances in which an unforeseen and unavoidable**
32 **emergency has arisen in which human life, health, or public property is in jeopardy. However,**
33 **no such emergency purchase shall be approved unless a statement in writing shall be attached**
34 **to the purchase order describing the emergency necessitating the purchase of such commodity**
35 **without competitive bidding;**

36 **(9) Utility services, the rates for which are subject to regulation by a state agency or a**

1 **federal regulatory agency;**

2 **(10) Sand, gravel, soil, lumber, or used pipe;**

3 **(11) Used or secondhand motor vehicles, machinery, or equipment, except used or**
4 **secondhand motor vehicles which have been under lease to a county when such vehicles had**
5 **fewer than eighteen thousand (18,000) miles of use, may not be purchased by the county when**
6 **it has been used eighteen thousand (18,000) miles or more except upon competitive bids as**
7 **provided for in this chapter;**

8 **(12) Machinery, equipment, facilities, or other personal property purchased or**
9 **acquired for, or in connection with, the securing and developing of industry under or pursuant**
10 **to the provisions of Arkansas Constitution, Amendment 49 [repealed], Arkansas Code**
11 **14-164-201 et seq., or any other provision of law pertaining to the securing and developing of**
12 **industry;**

13 **(13) Registered livestock to be used for breeding purposes;**

14 **(14) Motor fuels;**

15 **(15) Motor vehicles, equipment, machinery, material, or supplies offered for sale at**
16 **public auction or through a process requiring sealed bids;and**

17 **(16) All goods and services which are regularly provided to state agencies and county**
18 **government by the Arkansas Department of Corrections_ various penal industries."**

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

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24 **SECTION 3. If any provision of this act or the application thereof to any person or**
25 **circumstance is held invalid, such invalidity shall not affect other provisions or applications of**
26 **the act which can be given effect without the invalid provision or application, and to this end**
27 **the provisions of this act are declared to be severable.**

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

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APPROVED: 02/25/93

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