

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

A Bill

Act 589 of 2001
SENATE BILL 355

5 By: Senator Mahony
6 By: Representative Willis
7

For An Act To Be Entitled

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9
10 AN ACT TO AMEND ARKANSAS CODE 25-8-106 PERTAINING TO
11 MARKETING AND REDISTRIBUTION OF STATE PERSONAL
12 PROPERTY; AND FOR OTHER PURPOSES.
13

Subtitle

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15 AN ACT TO AMEND ARKANSAS CODE 25-8-106
16 PERTAINING TO MARKETING AND
17 REDISTRIBUTION OF STATE PERSONAL
18 PROPERTY.
19
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code 25-8-106 is amended to read as follows:
24 25-8-106. Marketing and redistribution of state personal property.

25 (a) The provisions of this section shall be applicable only with
26 respect to personal property and shall not be interpreted to apply or to
27 affect in any way the disposition of surplus real property of the state.

28 (b)(1) There is created within the Office of State ~~Purchasing~~
29 Procurement of the Department of Finance and Administration a Marketing and
30 Redistribution Section for the purpose of promoting and ensuring effective
31 utilization of surplus state property.

32 (2) All state agencies, boards, commissions, departments, and
33 ~~county, municipal, or other tax supported institutions~~ colleges and
34 universities are ~~authorized~~ required, and county, municipal or other tax
35 supported institutions are authorized to utilize the services of the Marketing
36 and Redistribution Section of the Office of State ~~Purchasing~~ Procurement of

1 the Department of Finance and Administration unless specifically exempted in
 2 writing by the Director of the Office of State Procurement. Nothing in this
 3 section shall be construed to make it mandatory that county, municipal, or
 4 other local government units utilize the services of the Marketing and
 5 Redistribution Section.

6 (3) The Department of Finance and Administration shall maintain
 7 adequate and accurate records of the costs for operating the Marketing and
 8 Redistribution Section and is authorized to establish fair and reasonable
 9 charges for the services of the section. The charges for services shall be
 10 deposited in the State Treasury as nonrevenue receipts, there to be credited
 11 to the Property Sales Holding Fund for the operation, maintenance, and
 12 improvement of the Marketing and Redistribution Section.

13 (c) The Office of State ~~Purchasing~~ Procurement of the Department of
 14 Finance and Administration may maintain an inventory of furniture, equipment,
 15 and other items which shall be made available to state agencies on rental
 16 agreements based upon fair and reasonable rental values.

17 (d) The Department of Finance and Administration is authorized to
 18 establish a fair and reasonable fee schedule for redistributing property
 19 between state agencies upon their request.

20 (e) Proceeds from the sale, transfer, or rental of property by the
 21 State ~~Purchasing~~ Procurement Director shall be accounted for as follows:

22 (1) The purchasers, transferees, and lessees of property
 23 available for such purposes as are authorized by this section shall transmit
 24 to the Office of State Purchasing of the Department of Finance and
 25 Administration the agreed sale price, service charge, or rental fee;

26 (2) The Office of State ~~Purchasing~~ Procurement shall deposit the
 27 full amount of proceeds received, as set out above, in the State Treasury in
 28 the manner as provided by law;

29 (3) Proceeds from the sale or transfer of property deposited in
 30 the State Treasury shall be classified as nonrevenue receipts and be credited
 31 to the Property Sales Holding Fund herein created on the books of the
 32 Treasurer of State as a trust fund.

33 (A) Funds deposited in the Property Sales Holding Fund may
 34 be expended only by the selling or transferring agency under procedures
 35 established by the Chief Fiscal Officer of the State and appropriations
 36 provided by the General Assembly.

1 (B) However, funds deposited in the Property Sales Holding
2 Fund from the sale of property purchased from agency cash funds may be
3 refunded to the agency cash fund from which the original expenditure was made
4 by the issuance of a warrant under procedures established by the Chief Fiscal
5 Officer of the State and the Auditor of State to be payable from
6 appropriations provided by the General Assembly for disposition of the
7 proceeds.

8 (f) The Director of the Department of Finance and Administration is
9 authorized to promulgate reasonable rules and regulations, not inconsistent
10 with law, for compliance with the provisions of this section, the Arkansas
11 Purchasing Procurement Law, § 19-11-201 et seq., and the General Accounting
12 and Budgetary Procedures Law, § 19-4-101 et seq.

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15 APPROVED: 3/7/2001
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