

1 State of Arkansas *As Engrossed: S5/20/16* Call Item 14
2 90th General Assembly **A Bill**
3 Third Extraordinary Session, 2016 SENATE BILL 5
4

5 By: Senator Burnett
6 By: Representative M. Hodges
7

8 **For An Act To Be Entitled**

9 AN ACT TO AMEND THE LAW CONCERNING EARTHQUAKE
10 RESISTANT DESIGN REQUIREMENTS FOR BUILDINGS AND OTHER
11 STRUCTURES; TO DECLARE AN EMERGENCY; AND FOR OTHER
12 PURPOSES.
13

14 **Subtitle**

15 TO AMEND THE LAW CONCERNING EARTHQUAKE
16 RESISTANT DESIGN REQUIREMENTS FOR
17 BUILDINGS AND OTHER STRUCTURES AND TO
18 DECLARE AN EMERGENCY.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 12-80-104(a)(2), concerning design
25 requirements, is amended to read as follows:

26 (2)(A) Design loads and seismic design requirements shall be, as
27 a minimum, those listed in the Chapter of Structure Loads and referenced
28 chapters from the Arkansas Fire Prevention Code.

29 (B)(i) Buildings or other structures classified as
30 Category I or Category II occupancies as described in Table 1604.5, Arkansas
31 Fire Prevention Code, Volume II, 2012 Edition, or in American Society of
32 Civil Engineers (ASCE) Standard 7-10, Table 1.5-1, that are constructed for
33 manufacturing or industrial occupancy or for public works may be designed
34 using the mapped ground motion response accelerations for a ten percent
35 probability of exceeding the design seismic event in a fifty-year period
36 based on United States Geological Survey data, instead of the mapped ground



1 motion response accelerations for a two percent or other probability of
2 exceeding the design seismic event in a fifty-year period as set out in the
3 Arkansas Fire Prevention Code, 2012 Edition, or subsequent editions of the
4 Arkansas Fire Prevention Code if the alternate design standard has been
5 properly adopted by ordinance in the locality in which the building or other
6 structure is to be constructed.

7 (ii) Under subdivision (a)(2)(B)(i) of this section,
8 SDS shall equal SMS and SD1 shall equal SM1 in lieu of the two-thirds
9 adjustment indicated in Equations 16.39 and 16.40 of the Arkansas Fire
10 Prevention Code, Volume II, 2012 Edition, and the design seismic base shear V
11 in any given direction shall be not less than that determined in accordance
12 with Section 1607, Standard Building Code, 1997 Edition.

13 (iii) As used in subdivision (a)(2)(B)(ii), "SDS",
14 "SMS", "SD1", and "SM1" mean the same as defined in the Arkansas Fire
15 Prevention Code, Volume II, 2012 Edition.

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17 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
18 General Assembly of the State of Arkansas that seismic design requirements
19 found in the Arkansas Fire Prevention Code are overly restrictive; that the
20 nature of these restrictions require businesses to expend significant
21 resources; and that this act is immediately necessary to correct this
22 restriction, to ease the burden on businesses considering construction in
23 Arkansas, and to promote local economic development efforts. Therefore, an
24 emergency is declared to exist, and this act being immediately necessary for
25 the preservation of the public peace, health, and safety shall become
26 effective on:

27 (1) The date of its approval by the Governor;

28 (2) If the bill is neither approved nor vetoed by the Governor,
29 the expiration of the period of time during which the Governor may veto the
30 bill; or

31 (3) If the bill is vetoed by the Governor and the veto is
32 overridden, the date the last house overrides the veto.

33
34 /s/Burnett

35 **APPROVED: 05/23/2016**