

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997  
4

As Engrossed: H3/7/97 S3/28/97

## A Bill

ACT 1344 OF 1997  
HOUSE BILL 1765

5 By: Representatives Simmons, Davis, Wilkinson, Milum, Simon, Fletcher, Goodwin, Broadway, Northcutt, Maddox, Pappas, Allison,  
6 McKissack, Smith, T., Newman, Wilkins, Baker, Choate, and Cook  
7 By: Senator Todd

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### For An Act To Be Entitled

10 "AN ACT TO EXEMPT USED SCHOOL BUSES FROM COMPETITIVE  
11 BIDDING AND THE JURISDICTION OF THE STATE PURCHASING  
12 DIRECTOR; AND FOR OTHER PURPOSES."

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### Subtitle

15 "TO EXEMPT USED SCHOOL BUSES FROM  
16 COMPETITIVE BIDDING AND THE JURISDICTION  
17 OF THE STATE PURCHASING DIRECTOR."

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

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21 SECTION 1. For the purposes of this act, a school bus becomes a used  
22 school bus two years after the date of issuance of the manufacturer's  
23 Certificate of Origin. If the body of the school bus is installed by an  
24 entity other than the manufacturer of the chassis, the school bus becomes a  
25 used school bus two years after the date of issuance of the manufacturer's  
26 Certificate of Origin issued by the entity which installed the body on the  
27 chassis.

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29 SECTION 2. Notwithstanding any other law to the contrary, used school  
30 buses purchased by public school districts in this state shall not be subject  
31 to the jurisdiction of the State Purchasing Director nor any competitive  
32 bidding procedures prescribed by law.

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34 SECTION 3. (a) By no later than July 1, 1998, each public school  
35 district shall report all new school bus purchases, whether the district  
36 utilized the office of State Purchasing, and competitive bidding procedures

1 utilized in the purchase of buses to the Coordinator for School  
2 Transportation/Driver Education, Arkansas Department of Education.

3 (b) The department shall compile the reports from the public school  
4 districts and report its findings and any recommendations for legislative  
5 change to the Legislative Council and Joint Budget Committee on or before  
6 October 30, 1998.

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8 SECTION 4. All provisions of this act of a general and permanent nature  
9 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
10 Revision Commission shall incorporate the same in the Code.

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12 SECTION 5. If any provision of this act or the application thereof to  
13 any person or circumstance is held invalid, such invalidity shall not affect  
14 other provisions or applications of the act which can be given effect without  
15 the invalid provision or application, and to this end the provisions of this  
16 act are declared to be severable.

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18 SECTION 6. All laws and parts of laws in conflict with this act are  
19 hereby repealed.

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21 SECTION 7. EMERGENCY. It is found and determined by the General  
22 Assembly of the State of Arkansas that the present law regarding the purchase  
23 of used school buses is too time consuming and costly for our public school  
24 districts; that this act will provide our public school districts with an  
25 efficient and timely method for purchasing used school buses; and that this  
26 act should go into effect immediately to give our school districts the maximum  
27 flexibility in the acquisition of new school buses. Therefore an emergency is  
28 declared to exist and this act being immediately necessary for the  
29 preservation of the public peace, health and safety shall become effective on  
30 the date of its approval by the Governor. If the bill is neither approved nor  
31 vetoed by the Governor, it shall become effective on the expiration of the  
32 period of time during which the Governor may veto the bill. If the bill is  
33 vetoed by the Governor and the veto is overridden, it shall become effective  
34 on the date the last house overrides the veto.

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36 /s/Rep. Simmons, et al

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APPROVED: BECAME LAW WITHOUT GOVERNOR'S SIGNATURE.