

Hall of the House of Representatives
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of House Bill No. 2762

"AN ACT TO REQUIRE MINORITY SUBCONTRACTORS IN ALL STATE CONTRACTS
OVER ONE MILLION DOLLARS."

Amendment No. 2 to House Bill No. 2762.

Amend House Bill No. 2762 as originally introduced:

Page 1, line 9, delete "REQUIRE MINORITY" and substitute "REQUIRE, UNDER CERTAIN CIRCUMSTANCES, MINORITY"

AND

Page 1, line 14, delete "REQUIRE MINORITY" and substitute "REQUIRE, UNDER CERTAIN CIRCUMSTANCES, MINORITY"

AND

Delete Section 1 and substitute the following:

"SECTION 1. (a) For purposes of this act:

(1) "State contract" means all types of state agreements, regardless of what they may be called, for the purchase of commodities, services, and contracts awarded by the Arkansas State Highway and Transportation Department for the construction, reconstruction, and maintenance of roads and bridges in the state highway system and contracts awarded by state agencies, commissions, boards, institutions of higher education and retirement systems for capital improvements, and for the disposal of surplus commodities; and

(2) "Minority" means black or African American, Hispanic American, American Indian or Native American, Asian, and Pacific Islander, and businesses whose ownership is at least fifty-one percent (51%) female.

(b) Except as provided in subsection (c) of this section, for all state contracts in excess of one million dollars (\$1,000,000), including but not limited to state contracts awarded pursuant to Arkansas Code §§ 22-9-201 through 22-9-702 and Arkansas Code §§ 19-4-1413 through 19-4-1415 that include subcontractors, the prime contractor shall, all economic considerations being equal, use a minority subcontractor.

(c)(1) If a minority subcontractor is not available, under regulations promulgated by the Advisory Council of the Division of Minority Business



Enterprise of the Department of Economic Development, the contractor may apply for a waiver from the Advisory Council to the Division of Minority Business Enterprise of the Department of Economic Development.

(2) The council shall render its decision within fifteen (15) business days of receipt of the waiver request.”

The Amendment was read _____
By: Representative Jones
LDH/MHF - 041120031320
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Chief Clerk