

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **First Extraordinary Session, 1992**  
4 **By: Senator Yates**

**Call Item 53**

# **A Bill**

**SENATE BILL 47**

## **For An Act To Be Entitled**

8 "AN ACT TO AMEND SUBCHAPTER 2 OF CHAPTER 9 OF TITLE 22 OF  
9 THE ARKANSAS CODE TO PROVIDE THAT THE BID PREFERENCE FOR  
10 ARKANSAS CONTRACTORS SHALL NOT BE APPLICABLE TO CONTRACT  
11 BIDS FOR PUBLIC IMPROVEMENTS, OTHER THAN HIGHWAY PROJECTS;  
12 AND FOR OTHER PURPOSES."

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

16 SECTION 1. Subchapter 2 of Chapter 9 of Title 22 of the Arkansas Code  
17 is hereby amended by adding at the end thereof a new section to read as  
18 follows:

19 "22-9-211. The three percent (3%) bid preference for Arkansas bidders  
20 provided for in this subchapter shall not be applicable with respect to  
21 contracts for public improvements, other than highway projects."

23 SECTION 2. All provisions of this act of a general and permanent nature  
24 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
25 Revision Commission shall incorporate the same in the Code.

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

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34 hereby repealed.

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1 SECTION 5. EMERGENCY. It is hereby found and determined by the General  
2 Assembly that the public improvement bid preference for Arkansas bidders  
3 creates serious hardship in some instances where the magnitude of the public  
4 improvement project is such that the three percent preference results in  
5 substantially increased costs to state agencies and institutions and that this  
6 act is designed to correct this problem by excepting those exceptionally large  
7 contracts from the three percent preference law and should be given effect  
8 immediately. Therefore, an emergency is hereby declared to exist and this act  
9 being necessary for the preservation of the public peace, health and safety  
10 shall be in full force and effect from and after its passage and approval.

11 /s/Sen. Yates  
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