

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 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: S3/19/03

A Bill

SENATE BILL 734

5 By: Senator Malone
6
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE DEFINITIONS OF COMMODITIES
10 AND SERVICES FOR ETHICS IN PUBLIC CONTRACTING;
11 AND FOR OTHER PURPOSES.
12

Subtitle

14 AN ACT TO AMEND THE DEFINITIONS OF
15 COMMODITIES AND SERVICES FOR ETHICS IN
16 PUBLIC CONTRACTING.
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. Arkansas Code § 19-11-701(3), concerning the definition of
22 commodities as it applies to ethics in public contracting, is amended to read
23 as follows:

24 (3) "Commodities" means ~~commodities as defined in the Arkansas~~
25 ~~Purchasing Law, § 19-11-201 et seq.~~ all property, including, but not limited
26 to, equipment, printing, stationery, supplies, insurance, and real property;
27

28 SECTION 2. Arkansas Code § 19-11-701(15), concerning the definition of
29 services as it applies to ethics in public contracting, is amended to read as
30 follows:

31 (15) "Services" means ~~services as defined in the Arkansas~~
32 ~~Purchasing Law, § 19-11-201 et seq.~~ technical, professional, or other
33 services involving the furnishing of labor, time, or effort by a contractor;
34 and
35

36 SECTION 3. Arkansas Code § 19-11-709(d)(1) is amended to read as



02282003MTB1603.JGR439

1 follows:

2 (d)(1) Selling to state after termination of employment is
3 prohibited. It shall be a breach of ethical standards for any former
4 employee, unless the former employee's last annual salary did not exceed ten
5 thousand five hundred dollars (\$10,500), to engage in selling or attempting
6 to sell commodities or services, including technical or professional
7 consultant services, to the state for one (1) year following the date
8 employment ceased.

9

10 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the
11 General Assembly of the State of Arkansas that although Arkansas Code § 19-
12 11-709(d) prohibits former state employees from entering into professional or
13 consultant contracts with the state for one (1) year period, the current
14 definitions provide a loophole to this provision, and allows such contracts;
15 that this act is necessary to close this loophole; and that this act is
16 immediately necessary to maintain the integrity of the process and the
17 citizens confidence in awarding public contracts. Therefore, an emergency is
18 declared to exist and this act being immediately necessary for the
19 preservation of the public peace, health, and safety shall become effective
20 on:

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

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

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

27

28 /s/ Malone

29

30

31

32

33

34

35

36