

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

SENATE BILL 385

5 By: Senators J. Dismang, B. Ballinger, Bledsoe, Caldwell, E. Cheatham, A. Clark, J. Cooper, B. Davis, L.
6 Eads, Elliott, J. English, Flippo, T. Garner, K. Hammer, J. Hendren, Hester, Hill, Irvin, B. Johnson, M.
7 Johnson, G. Leding, Rapert, J. Sturch, Teague, D. Wallace
8 By: Representatives A. Davis, Clowney, Cozart, Della Rosa, Eaves, Gonzales, Hawks, Hollowell, L.
9 Johnson, Love, Lundstrum, Maddox, J. Mayberry, Richmond, Scott, Speaks, Sullivan, Vaught, Bentley,
10 Cloud, Beck, Brown, Capp, Cavanaugh, Crawford, Evans, Gates, M. Gray, G. Hodges, Kelly, Ladyman,
11 Lynch, McNair, Rye, B. Smith, Wing, Dotson, Richardson
12

For An Act To Be Entitled

13 AN ACT TO CONDUCT A STUDY OF THE ARKANSAS DEPARTMENT
14 OF TRANSPORTATION'S PROCESSES, PROCEDURES,
15 PROCUREMENT PROCESSES, PROJECTS, APPEALS PROCEDURES
16 AND EXPENDITURES; TO ESTABLISH AN ANNUAL REVIEW OF
17 THE ARKANSAS DEPARTMENT OF TRANSPORTATION; AND FOR
18 OTHER PURPOSES.
19
20
21

Subtitle

22 TO REQUIRE A STUDY AND ANNUAL REVIEW OF
23 THE FUNCTIONS AND PROCESSES OF THE
24 ARKANSAS DEPARTMENT OF TRANSPORTATION.
25
26
27

28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
29

30 SECTION 1. TEMPORARY LANGUAGE. DO NOT CODIFY. Arkansas Department of
31 Transportation – Legislative Council study.

32 (a)(1) The Legislative Council or the Executive Subcommittee of the
33 Legislative Council shall hire one (1) or more consultants to assist it in
34 conducting a study of the processes and functioning of the Arkansas
35 Department of Transportation, including without limitation the department's
36 processes, procedures, procurement procedures, projects, expenditures, and



1 appeals processes.

2 (2) The purpose of the study is to examine and identify areas of
3 potential improvement within the overall functioning of the department and to
4 recommend legislation to the General Assembly for consideration in order to:

5 (A) Maximize the department’s use of taxpayer dollars;

6 (B) Improve the efficiency and overall functioning of the
7 department; and

8 (C) Ensure responsiveness of the department to the needs
9 of the State of Arkansas and its citizens with regard to improvement of the
10 state highways and roads.

11 (3) In order to achieve the purposes of the study as set forth
12 in subdivision (a)(2) of this section, the Legislative Council shall:

13 (A) Compare the procurement processes of the department
14 with the requirements of the Arkansas Procurement Law, § 19-11-201, et seq.;

15 (B) Study and consider the best practices for functioning
16 of state highway departments through consideration of practices in
17 surrounding or comparable states;

18 (C) Audit the expenditures and procurement processes of
19 the department in order to find ways to improve or create efficiencies in
20 those areas; and

21 (D) Consider and adopt recommended legislation based on
22 the results of the study by the Legislative Council and its consultant.

23 (4) The Director of State Highways and Transportation shall
24 fully cooperate in the conduct of the study by providing:

25 (A) Access to the Legislative Council, a consultant of the
26 Legislative Council, and the Bureau of Legislative Research to any requested
27 documents and records for purposes of the study; and

28 (B) Timely responses to requests of the Legislative
29 Council, a consultant of the Legislative Council, and the Bureau of
30 Legislative Research.

31 (b) On or before December 1, 2020, the Legislative Council shall file
32 with the Governor, the President Pro Tempore of the Senate, and the Speaker
33 of the House of Representatives a final report of its activities, findings,
34 and recommendations, including recommended legislation related to the study.

35
36 SECTION 2. Arkansas Code § 19-4-105, concerning continuing studies and

1 investigations of state agencies, is amended to add an additional subsection
2 to read as follows:

3 (g)(1) The Internal Audit Section shall conduct an annual project
4 review and efficiency study of the Arkansas Department of Transportation to
5 include without limitation a review of the processes, procedures, procurement
6 processes, projects, appeals procedures and expenditures.

7 (2) The results a study under this section shall be reported to
8 the Legislative Council no later than October 1 of each year, with the first
9 report to be submitted by October 1, 2021.

10
11
12 **APPROVED: 3/5/19**
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36