

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**  
4 **By: Representative Malone**

# A Bill

**ACT 1234 OF 1995**  
**HOUSE BILL 1887**

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 19-11-237 TO AUTHORIZE THE  
9 OFFICE OF STATE PURCHASING TO CONTRACT TO PURCHASE  
10 PHARMACEUTICALS USING COST-PLUS-A-PERCENTAGE-OF-COST  
11 SYSTEM OF PRICING."

## Subtitle

14 "TO ALLOW THE OFFICE OF STATE PURCHASING  
15 TO CONTRACT TO PURCHASE  
16 PHARMACEUTICALS USING COST-PLUS-A-  
17 PERCENTAGE OF COST PRICING SYSTEM."

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

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21 SECTION 1. Arkansas Code 19-11-237 is hereby amended to read as  
22 follows:

23 "§ 19-11-237. Cost-plus-a-percentage-of-cost and cost-plus-a-fixed-fee  
24 contracts.

25 As used in this subchapter, unless the context otherwise requires:  
26 The cost-plus-a-percentage-of-cost and cost-plus-a-fixed-fee system may be  
27 used only in the cases of the bulk purchase of diesel fuel and gasoline,  
28 pharmaceuticals, and sale of scrap paper products when:

29 (1) There exists no other economically practicable price arrangement to  
30 secure the commodity; and/or

31 (2) A cost saving may be proved over the least expensive alternative;  
32 and/or

33 (3) The pricing schedule involved is tied to an industry standard or  
34 other reliable system of cost prediction."

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36 SECTION 2. All provisions of this act of a general and permanent nature

1 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
2 Revision Commission shall incorporate the same in the Code.

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4 SECTION 3. If any provision of this act or the application thereof to  
5 any person or circumstance is held invalid, such invalidity shall not affect  
6 other provisions or applications of the act which can be given effect without  
7 the invalid provision or application, and to this end the provisions of this  
8 act are declared to be severable.

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11 hereby repealed.

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APPROVED: 4-12-95

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