

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 83rd General Assembly  
3 Regular Session, 2001  
4

As Engrossed: H2/14/01

# A Bill

Act 771 of 2001  
SENATE BILL 244

5 By: Senator Riggs  
6  
7

## For An Act To Be Entitled

9 THE "FREE ENTERPRISE IN CONSTRUCTION ACT".

### Subtitle

11 THE "FREE ENTERPRISE IN CONSTRUCTION  
12 ACT".  
13  
14  
15

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
17

18 SECTION 1. Arkansas Code Title 22, Chapter 9, Subchapter 4, concerning  
19 contractors' bonds, is amended to add an additional section to read as  
20 follows:

21 22-9-405. Prohibition on directed suretyship.

22 (a) It is unlawful for any contracting body referenced in § 22-9-401 or any  
23 person acting on behalf of such contracting body to require a bidder or  
24 contractor to obtain or procure any surety bond from any particular insurance  
25 or surety company, agent, or broker, or to include surety bonds in an owner-  
26 controlled insurance program.

27 (b) Any person who violates the provision of this section is guilty of  
28 a Class A misdemeanor.

29 /s/ Riggs  
30  
31

32 APPROVED: 3/14/2001  
33  
34  
35  
36