

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

As Engrossed: H3/21/11

# A Bill

SENATE BILL 304

5 By: Senator B. Pritchard  
6 By: Representatives T. Rogers, *Murdock*  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND PROVISIONS OF ARKANSAS LAW CONCERNING  
10 THE AWARD OF CAPITAL IMPROVEMENT CONTRACTS BY THE  
11 ARKANSAS BUILDING AUTHORITY; AND FOR OTHER PURPOSES.  
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## Subtitle

15 TO AMEND PROVISIONS OF ARKANSAS LAW  
16 CONCERNING THE AWARD OF CAPITAL  
17 IMPROVEMENT CONTRACTS BY THE ARKANSAS  
18 BUILDING AUTHORITY.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 *SECTION 1.* Arkansas Code § 22-9-201(c)(3), concerning the definition  
24 of "emergency contracting procedures", is amended to read as follows:

25 (3) "Emergency contracting procedures" means the acquisition of  
26 services and materials for capital improvements, including without limitation  
27 acquisitions funded in whole or in part with insurance proceeds, that are in  
28 accordance with the Arkansas Building Authority minimum standards and  
29 criteria.  
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31 *SECTION 2.* Arkansas Code § 22-9-204(e) and (f), concerning the work of  
32 subcontractors, is amended to read as follows:

33 (e) It shall be mandatory that the mechanical, plumbing, electrical,  
34 and roofing, ~~and sheet metal~~ subcontractors named on the form of proposal by  
35 the prime contractor awarded a contract under the provisions of this  
36 subchapter be given contracts by the prime contractor in keeping with their



1 proposals to perform the items for which they were named.

2 (f)(1) It shall be a violation of this section for any prime  
3 contractor to submit a bid listing unlicensed contractors or to use  
4 unlicensed contractors on a public works project if the listed work of the  
5 unlicensed contractors or portion of the unlicensed contractors' work is  
6 twenty thousand dollars (\$20,000) or more.

7 (2) It shall be a violation of this section for any  
8 subcontractor who is not licensed by the board to contract to perform work on  
9 a public works project if the listed work of the subcontractor or portion of  
10 the subcontractor's work is twenty thousand dollars (\$20,000) or more.

11 (3) The board has jurisdiction over violations of this  
12 subsection under § 17-25-103.

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14 */s/B. Pritchard*

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17 **APPROVED: 03/30/2011**  
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