

Hall of the House of Representatives
83rd General Assembly - Regular Session, 2001
Amendment Form

Subtitle of House Bill No. 1435

"PROHIBITS STATE AGENCIES FROM CONTRACTING WITH INDIVIDUALS OR ENTITIES NOT REGISTERED TO COLLECT STATE TAX OR THAT OWE STATE TAX; PROVIDES REMEDIES TO AGENCIES AGAINST VENDORS WHO VIOLATE THESE PROVISIONS."

Amendment No. 1 to House Bill No. 1435.

Amend House Bill No. 1435 as originally introduced:

Page 1, delete lines 31 and 32 and substitute the following:

"19-11-263. (a) A state agency, including those agencies authorized by law or regulation to have an agency purchasing official, shall not award a contract that is the result of a competitive sealed bid or competitive sealed proposal to any individual or business entity unless the individual or"

AND

Page 2, delete line 6 and substitute the following:

"of the date of the contract, or that the individual or business entity has entered into an agreement with the Department of Finance and Administration that provides for the payment of any delinquent state tax and is current on its payments due according to the terms of the payment agreement."

AND

Page 2, delete line 7 and substitute the following:

"(b) An award subject to the requirements of this section shall"

AND

Page 2, delete lines 9, 10, 11 and 12 and substitute the following:

"State agencies are prohibited from contracting with individuals or entities that do not hold a permit to collect and remit Arkansas sales and use taxes, if required, or that owe state taxes, unless the delinquent taxes are"

being paid according to the terms of a payment agreement with the Department of Finance and Administration. The vendor certifies that the individual or business entity named in this contract meets these requirements and is eligible to receive the specified contract and acknowledges that this contract may be terminated and payment withheld if this certification is inaccurate."

AND

Page 2, delete line 13 and substitute the following:

"(c) If the Revenue Division of the Department of Finance and Administration determines that an individual or business entity"

AND

Page 2, delete line 20 and substitute the following:

"re-awarding the contract, and any other damages provided by"

AND

Page 2, delete line 22 and substitute the following:

"(e) This section does not create a cause of action to contest an"

AND

Page 2, line 24, add a new subsection to read as follows:

"(f) For purposes of this section, "state tax" shall mean any tax, or any fee for a license, permit, or registration which is payable to, collected by, or administered by the Revenue Division, Department of Finance and Administration, State of Arkansas."

The Amendment was read _____

By: Representative Ferguson

LH/MHF

MHF782

Chief Clerk