

**Hall of the House of Representatives**  
85th General Assembly - Regular Session, 2005  
**Amendment Form**

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**Subtitle of House Bill No. 1612**

"AN ACT TO LIMIT THE PAYMENT OF PUBLIC FUNDS ON CONTRACTS EXCEEDING  
THE INITIAL CONTRACT AMOUNT."

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**Amendment No. 1 to House Bill No. 1612.**

Amend House Bill No. 1612 as originally introduced:

Delete the title and substitute the following:

"AN ACT TO DISCLOSE THE TOTAL PAYMENT OF PUBLIC FUNDS ON CAPITAL IMPROVEMENT  
PROJECTS; AND FOR OTHER PURPOSES."

AND

Delete the subtitle and substitute the following:

"AN ACT TO DISCLOSE THE TOTAL PAYMENT OF PUBLIC FUNDS ON CAPITAL IMPROVEMENT  
PROJECTS."

AND

Delete Section 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code § 19-4-1402 is amended to read as follows:

(a) Executed counterparts of all contracts entered into by any state agency with respect to proposed projects for new improvements or major repairs or additions to existing buildings and facilities shall be filed with the Arkansas State Building Services Authority prior to the issuance of any vouchers making payments under ~~any such~~ the contract, unless the contract is exempted from the jurisdiction of the Arkansas State Building Services Authority by any law or a regulation promulgated pursuant to the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(b)(1) The Boards of Trustees of the University of Arkansas, Arkansas State University, University of Central Arkansas, Henderson State University, Arkansas Tech University, and Southern Arkansas University, respectively, are exempt from the requirements of this section requiring the filing of ~~such~~ the contracts with the Arkansas State Building Services Authority.

~~(2)(A)(2)~~ The governing boards of all other public institutions of higher education shall be exempt from filing ~~such~~ the contracts with the Arkansas State Building Services Authority;

(A) upon ~~upon~~ approval of the Department of Higher Education; and



(B) ~~Provided, that~~ If prior to granting ~~such~~ approval, the department shall have reviewed and approved policies and procedures adopted by the governing boards of the institutions with respect to bidding and construction of capital improvement projects.

(3) Nothing in this section shall prevent ~~any of the foregoing institutions exempt from filing such contracts with Arkansas State Building Services~~ an institution exempt under this subsection (b) from entering into an agreement with the Arkansas State Building Services Authority to file ~~such~~ its contracts with ~~it~~ the authority.

(c)(1) All contracts for new improvements or major repairs or additions to existing buildings and facilities under this subchapter shall include a project disclosure statement prepared by the agency, board, commission, or institution of higher education.

(2) The disclosure statement shall provide the estimated timeline, scope, and cost of the total project.

(3) The disclosure statement shall not be construed as authorizing any:

(A) Additional work which is beyond the scope of the bid documents; or

(B) Payment exceeding the contract amount.

(d) Nothing in this section shall prohibit any agency, board, commission, or institution of higher education from executing contract amendments."

The Amendment was read \_\_\_\_\_  
By: Representative Pace  
DLP/TRA - 03-17-2005 15:08  
DLP286

\_\_\_\_\_  
Chief Clerk