

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1085

By: Representative Thicksten

For An Act To Be Entitled

"AN ACT TO AMEND THE STATE PURCHASING LAW TO PROVIDE THAT  
MRDDS SCHOOLS ARE STATE AGENCIES."

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

SECTION 1. Arkansas Code 19-11-203(25) is hereby amended to read as follows:

"(25) 'State agency' means non-profit corporations under contract with the Department of Human Services for providing services to people with developmental disabilities and any office, department, commission, council, board, bureau, committee, institution, legislative body, agency, government corporation, or other establishment or official of the executive, judicial, or legislative branch of this state, except exempt agencies in their procurement of items not subject to the Arkansas Constitution, Amendment 54. 'State agency' includes exempt agencies when any agency or exempt agency procures any item subject to the Arkansas Constitution, Amendment 54."

SECTION 2. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 4. EMERGENCY. It is hereby found and determined by the General Assembly that the state purchasing law apparently does not now apply to non-profit corporations under contract with the Department of Human Services to provide services to people with developmental disabilities; that the functions performed by these non-profit corporations are a governmental function and

therefore those entities should be included in a definition of "state agencies" for purposes of the state purchasing law; that this Act accomplishes the same; and that in order to make the state purchasing law applicable to those non-profit corporations as soon as possible, that this Act should be given immediate effect. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.