

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1760

By: Representatives Ramsey and Mahony

For An Act To Be Entitled

"AN ACT TO AMEND TITLE 19, CHAPTER 11, SUBCHAPTER 7, OF THE ARKANSAS CODE OF 1987, TO ALLOW EMPLOYEES OR FORMER EMPLOYEES OF STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION TO PARTICIPATE IN CONTRACTS OR PROPOSALS FOR CONTRACTS BETWEEN THE INSTITUTION AND A PERSON OR FIRM IN WHICH THE EMPLOYEE OR FORMER EMPLOYEE HAS A FINANCIAL INTEREST WHERE SUCH CONTRACT OR PROPOSAL INVOLVES PATENTS, COPYRIGHTS OR PROPRIETARY INFORMATION IN WHICH THE INSTITUTION AND EMPLOYEE OR FORMER EMPLOYEE HAVE INTERESTS; TO REQUIRE SUCH CONTRACTS BE APPROVED BY THE GOVERNING BOARD OF THE INSTITUTION IN PUBLIC MEETING; AND FOR OTHER PURPOSES."

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

SECTION 1. Title 19, Chapter 11, Subchapter 7 of the Arkansas Code of 1987 is hereby amended by adding a new section to read as follows:

"19-11-717. Notwithstanding anything in this act to the contrary, it shall not be a violation of Arkansas Code Annotated 19-11-709 or a conflict of interest or breach of ethical standards for (a) an institution of higher education to contract with a person or firm in which an employee or former employee of such institution has a financial interest or (b) an employee or former employee of an institution of higher education to participate directly or indirectly in any matter pertaining to any contract or subcontract or any solicitation or proposal therefor between the institution and a person or firm in which such employee or former employee has a financial interest, if in either of the foregoing events such contract or subcontract, solicitation or proposal involves patents, copyrights or other proprietary information in which the institution and the employee or former employee have rights or interests; provided that any such contract or subcontract shall be approved by

the governing board of such institution in public meeting."

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 All laws and parts of laws in conflict with this Act are hereby repealed.