

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: H2/18/99

A Bill

HOUSE BILL 1539

5 By: Representative Bledsoe
6 By: Senator Kennedy
7

For An Act To Be Entitled

10 "AN ACT PERTAINING TO THE PURCHASE OF REAL PROPERTY BY
11 STATE AGENCIES; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT PERTAINING TO THE PURCHASE OF
15 REAL PROPERTY BY STATE AGENCIES."
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

SECTION 1. Purchase procedures for Agencies.

21 (a)(1) State agencies, including boards, commissions, and institutions
22 of higher education, but excluding the State Highway Commission, the Arkansas
23 State Game and Fish Commission, the Arkansas Natural Heritage Commission,
24 Arkansas State Military Department, and the State Parks, Recreation, and
25 Travel Commission, are each empowered from time to time to purchase real
26 property, so that the lands, in whole or in part, would belong to or be under
27 the supervision or control of the respective state agency, or belong to the
28 state and be held for the use or benefit of the state agency.

29 (2) The provisions of this section shall not apply to the
30 transfer of lands from political subdivisions to the State of Arkansas.

31 (b)(1) State agencies are empowered to transfer lands in whole or in
32 part to Arkansas State Building Services for use of that agency or other state
33 agencies.

34 (2) In the event Arkansas State Building Services shall sell the
35 lands at a later date, the provisions of Arkansas Code § 22-6-601 shall apply
36 and the proceeds of the sale, less any expenses and liquidated damages, shall

1 be deposited in the State Treasury as a nonrevenue receipt, to the credit of
2 the fund from which the agency that transferred the land to Arkansas State
3 Building Services is operated.

4 (c)(1) In the event a state agency elects to purchase lands, the agency
5 shall certify to Arkansas State Building Services its proposal for any
6 purchase.

7 (2) The state agency proposing the purchase of land shall obtain
8 the services of a qualified appraiser to appraise the lands so proposed to be
9 purchased, with notice to the Director of Arkansas State Building Services.

10 (A) The appraiser selected by the state agency, by
11 education and experience shall:

12 (i) Be capable of determining the value of lands,
13 water and mineral rights, timber, and rural, agricultural, and noncultivable
14 lands;

15 (ii) Understand legal descriptions of real
16 properties;

17 (iii) Have a working knowledge of county and state
18 real property records; and

19 (iv) Be capable of rendering dependable judgements of
20 the values of properties, determining the flood plains of the properties, and
21 of previous uses of the properties which may result in environmental
22 remediation.

23 (B) The appraiser shall be licensed and certified by the
24 Arkansas Appraiser Licensing and Certification Board.

25 (C) The appraiser shall take an oath or certify that he
26 will not, directly or indirectly, be engaged in the selling of the land or
27 give information to any agent, friend, secret partner, or other partner so as
28 to secure advantages of such information to himself or any person,
29 association, or company to the prejudice of exclusion of any other person.

30 (d)(1) The Director of Arkansas State Building Services shall furnish
31 to the Governor:

32 (A) The appraisal;

33 (B) The agency proposal to purchase;

34 (C) Arkansas State Building Services' recommendations.

35 (2) The Governor, if he approves the proposed purchase, shall
36 endorse his approval of the proposal and transmit a copy of the proposal to

1 the Director of Arkansas State Building Services who shall give notice of the
2 Governor's approval to the agency.

3 (e)(1) State Building Services Council shall establish and enforce
4 minimum standards and criteria for the purchase of real property.

5 (2) All purchases of land by boards and commissions shall be in
6 conformity with Arkansas Code § 25-16-706(d).

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

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12 SECTION 3. If any provision of this act or the application thereof to
13 any person or circumstance is held invalid, such invalidity shall not affect
14 other provisions or applications of the act which can be given effect without
15 the invalid provision or application, and to this end the provisions of this
16 act are declared to be severable.

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18 SECTION 4. All laws and parts of laws in conflict with this act are
19 hereby repealed.

20 */s/ Bledsoe, et al*