

State of Arkansas  
83rd General Assembly  
Regular Session, 2001

## A Bill

SENATE BILL 355

By: Senator Mahony  
By: Representative Willis

### For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS CODE 25-8-106 PERTAINING TO  
MARKETING AND REDISTRIBUTION OF STATE PERSONAL  
PROPERTY; AND FOR OTHER PURPOSES.

### Subtitle

AN ACT TO AMEND ARKANSAS CODE 25-8-106  
PERTAINING TO MARKETING AND  
REDISTRIBUTION OF STATE PERSONAL  
PROPERTY.

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

SECTION 1. Arkansas Code 25-8-106 is amended to read as follows:

25-8-106. Marketing and redistribution of state personal property.

(a) The provisions of this section shall be applicable only with respect to personal property and shall not be interpreted to apply or to affect in any way the disposition of surplus real property of the state.

(b)(1) There is created within the Office of State ~~Purchasing~~  
Procurement of the Department of Finance and Administration a Marketing and Redistribution Section for the purpose of promoting and ensuring effective utilization of surplus state property.

(2) All state agencies, boards, commissions, departments, and ~~county, municipal, or other tax supported institutions~~ colleges and universities are ~~authorized~~ required, and ~~county, municipal or other tax supported institutions are authorized~~ to utilize the services of the Marketing and Redistribution Section of the Office of State ~~Purchasing~~ Procurement of

1 the Department of Finance and Administration unless specifically exempted in  
2 writing by the Director of the Office of State Procurement. Nothing in this  
3 section shall be construed to make it mandatory that county, municipal, or  
4 other local government units utilize the services of the Marketing and  
5 Redistribution Section.

6 (3) The Department of Finance and Administration shall maintain  
7 adequate and accurate records of the costs for operating the Marketing and  
8 Redistribution Section and is authorized to establish fair and reasonable  
9 charges for the services of the section. The charges for services shall be  
10 deposited in the State Treasury as nonrevenue receipts, there to be credited  
11 to the Property Sales Holding Fund for the operation, maintenance, and  
12 improvement of the Marketing and Redistribution Section.

13 (c) The Office of State ~~Purchasing~~ Procurement of the Department of  
14 Finance and Administration may maintain an inventory of furniture, equipment,  
15 and other items which shall be made available to state agencies on rental  
16 agreements based upon fair and reasonable rental values.

17 (d) The Department of Finance and Administration is authorized to  
18 establish a fair and reasonable fee schedule for redistributing property  
19 between state agencies upon their request.

20 (e) Proceeds from the sale, transfer, or rental of property by the  
21 State ~~Purchasing~~ Procurement Director shall be accounted for as follows:

22 (1) The purchasers, transferees, and lessees of property  
23 available for such purposes as are authorized by this section shall transmit  
24 to the Office of State Purchasing of the Department of Finance and  
25 Administration the agreed sale price, service charge, or rental fee;

26 (2) The Office of State ~~Purchasing~~ Procurement shall deposit the  
27 full amount of proceeds received, as set out above, in the State Treasury in  
28 the manner as provided by law;

29 (3) Proceeds from the sale or transfer of property deposited in  
30 the State Treasury shall be classified as nonrevenue receipts and be credited  
31 to the Property Sales Holding Fund herein created on the books of the  
32 Treasurer of State as a trust fund.

33 (A) Funds deposited in the Property Sales Holding Fund may  
34 be expended only by the selling or transferring agency under procedures  
35 established by the Chief Fiscal Officer of the State and appropriations  
36 provided by the General Assembly.

1 (B) However, funds deposited in the Property Sales Holding  
2 Fund from the sale of property purchased from agency cash funds may be  
3 refunded to the agency cash fund from which the original expenditure was made  
4 by the issuance of a warrant under procedures established by the Chief Fiscal  
5 Officer of the State and the Auditor of State to be payable from  
6 appropriations provided by the General Assembly for disposition of the  
7 proceeds.

8 (f) The Director of the Department of Finance and Administration is  
9 authorized to promulgate reasonable rules and regulations, not inconsistent  
10 with law, for compliance with the provisions of this section, the Arkansas  
11 ~~Purchasing~~ Procurement Law, § 19-11-201 et seq., and the General Accounting  
12 and Budgetary Procedures Law, § 19-4-101 et seq.