

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001

As Engrossed: S3/21/01

A Bill

SENATE BILL 848

4
5 By: Senator Webb
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For An Act To Be Entitled

9 AN ACT TO PROVIDE FOR THE DEBARMENT OR SUSPENSION
10 OF PERSONS FROM CONSIDERATION FOR AWARD OF STATE
11 CONTRACTS BASED UPON DEFICIENT SERVICES; AND FOR
12 OTHER PURPOSES.

Subtitle

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16 TO PROVIDE FOR THE DEBARMENT OR
17 SUSPENSION OF PERSONS FROM CONSIDERATION
18 FOR AWARD OF STATE CONTRACTS BASED UPON
19 UNSATISFACTORY SERVICES.
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22 *SECTION 1. Arkansas Code Title 19, Chapter 4, Subchapter 17 is amended*
23 *by adding an additional section to read as follows:*

24 19-4-1717. Debarment or suspension.

25 (a) Applicability. This section applies to debarment for cause from
26 consideration for award of contracts, or a suspension from such consideration
27 during an investigation, where there is probable cause for such a debarment.

28 (b) Authority. After reasonable notice to the contractor involved and
29 reasonable opportunity for that contractor to be heard, the Chief Fiscal
30 Officer of the State or the head of a purchasing agency shall have authority
31 to debar a contractor for cause from consideration for award of contracts,
32 provided that doing so is in the best interests of the state. The debarment
33 shall not be for a period of more than three (3) years. The same officer
34 shall have authority to suspend a contractor from consideration for award of
35 contracts, provided that doing so is in the best interests of the state and
36 there is probable cause for debarment. The suspension shall not be for a

1 period exceeding three (3) months. The authority to debar or suspend shall be
2 exercised in accordance with regulations promulgated by the Chief Fiscal
3 Officer of the State.

4 (c) Causes for Debarment or Suspension. The causes for debarment or
5 suspension because of unsuitability for award of a contract shall be set
6 forth in regulations promulgated by the Chief Fiscal Officer of the State.

7 (d) Decision. The Chief Fiscal Officer of the State or the head of a
8 purchasing agency shall issue a written decision to debar or suspend. The
9 decision shall state the reasons for the action taken.

10 (e) Notice of Decision. A copy of the decision under subsection (d) of
11 this section shall be mailed or otherwise furnished within five (5) days
12 after it is written to the debarred or suspended contractor and any other
13 party intervening.

14 (f) Finality of Decision. A decision under subsection (d) of this
15 section shall be final and conclusive.

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17 /s/ Webb
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