

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 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 2012

4
5 By: Representative Mathis
6 By: Senator T. Smith

For An Act To Be Entitled

10 AN ACT CONCERNING THE QUALIFICATIONS FOR BIDDERS
11 AND SUPPLIERS ON CAPITAL IMPROVEMENT PROJECTS;
12 AND FOR OTHER PURPOSES.

Subtitle

15 AN ACT CONCERNING THE QUALIFICATIONS FOR
16 BIDDERS AND SUPPLIERS ON CAPITAL
17 IMPROVEMENT PROJECTS.

18
19
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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22 SECTION 1. Arkansas Code § 19-4-1405, concerning bidding procedures,
23 is amended to add an additional subsection to read as follows:

24 (f)(1) State agencies shall not require in plans or specifications
25 that a bidder or supplier:

26 (A) Hold membership in any professional or industry
27 associations, societies, trade groups, or similar organizations;

28 (B) Possess certification from any professional or
29 industry associations, societies, trade groups, or similar organizations,
30 including, but not limited to, certification as steel building fabricators;
31 or

32 (C) Be endorsed by any professional or industry
33 associations, societies, trade groups, or similar organizations.

34 (2) However, plans and specifications may include or reference
35 standards adopted by professional or industry associations, societies, trade
36 groups, or similar organizations.



1
2 SECTION 2. Arkansas Code § 19-4-1413(b), concerning provisions
3 applicable to projects constructed with private funds, is amended to read as
4 follows:

5 (b) Notwithstanding anything in this subsection to the contrary, the
6 provisions of § 19-4-1405(f), §§ 22-9-301 - 22-9-315, §§ 22-9-401 - 22-9-404,
7 §§ 22-9-501 - 22-9-505, §§ 22-9-601 - 22-9-604, and §§ 22-9-701 - 22-9-702
8 shall remain in full force and effect and not be affected hereby.

9
10 SECTION 3. Arkansas Code § 19-4-1415(h)(6)(B)(iii), concerning
11 projects exceeding five million dollars, is amended to read as follows:

12 (iii) Notwithstanding anything in this subsection to
13 the contrary, the provisions of §§ 19-4-1405(f), 19-4-1413, 19-11-801, 22-9-
14 101, 22-9-103, 22-9-104, 22-9-213, 22-9-301 et seq., 22-9-401 et seq., 22-9-
15 501 et seq., 22-9-601 et seq., and 22-9-701 et seq. shall remain in full
16 force and effect and not be affected hereby.

17
18 SECTION 4. Arkansas Code § 22-9-203, concerning public improvements
19 generally and award procedures, is amended to read as follows:

20 (k)(1) The state, an agency of the state, a county, a municipality, a
21 school district, or other local taxing unit shall not require in plans or
22 specifications that a bidder or supplier:

23 (A) Hold membership in any professional or industry
24 associations, societies, trade groups, or similar organizations;

25 (B) Possess certification from any professional or
26 industry associations, societies, trade groups, or similar organizations,
27 including, but not limited to, certification as steel building fabricators;
28 or

29 (C) Be endorsed by any professional or industry
30 associations, societies, trade groups, or similar organizations.

31 (2) However, plans and specifications may include or reference
32 standards adopted by professional or industry associations, societies, trade
33 groups, or similar organizations.