

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

As Engrossed: H3/21/11

# A Bill

HOUSE BILL 1940

5 By: Representative Nickels  
6

## For An Act To Be Entitled

8 AN ACT TO REESTABLISH FAIRNESS, TRANSPARENCY, AND  
9 COMPETITION IN THE BIDDING PRACTICES FOR THE  
10 CONSTRUCTION OF PUBLICLY FUNDED BUILDINGS,  
11 INFRASTRUCTURE, AND FACILITIES; AND FOR OTHER  
12 PURPOSES.  
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## Subtitle

15 TO REESTABLISH FAIRNESS, TRANSPARENCY,  
16 AND COMPETITION IN THE BIDDING PRACTICES  
17 FOR THE CONSTRUCTION OF PUBLICLY FUNDED  
18 BUILDINGS, INFRASTRUCTURE, AND  
19 FACILITIES.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 *SECTION 1. The introductory language of Arkansas Code § 19-4-1413(a),*  
26 *concerning construction projects using private funds, is amended to read as*  
27 *follows:*

28 *(a) ~~In the event~~ If funds from private sources are provided to a*  
29 *public institution of higher education for ~~projects which exceed five million~~*  
30 *~~dollars (\$5,000,000) regulated in this subchapter~~ a project regulated in this*  
31 *subchapter that exceeds twenty million dollars (\$20,000,000) sufficient to*  
32 *finance at least eighty percent (80%) of the estimated cost of the proposed*  
33 *project, excluding the cost of land, the provisions of this subchapter and ~~of~~*  
34 *all other provisions of the Arkansas Code governing construction of public*  
35 *facilities, ~~including, but not limited to, the provisions of~~ without*  
36 *limitation §§ 22-9-101 and 22-9-103 and §§ 22-9-201 – 22-9-212 ~~shall not be~~*



1 ~~applicable, do not apply to such projects~~ the project, subject to the  
2 following:

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4 SECTION 2. The catchline for Arkansas Code § 19-4-1415 is amended to  
5 read as follows:

6 19-4-1415. Projects exceeding ~~five million dollars~~ twenty million  
7 dollars.

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9 SECTION 3. Arkansas Code § 19-4-1415(a), concerning construction  
10 projects for public facilities, is amended to read as follows:

11 (a) ~~In the event If funds from any sources are provided to state~~  
12 ~~agencies a state agency for projects which exceed five million dollars~~  
13 ~~(\$5,000,000) a project that exceeds twenty million dollars (\$20,000,000),~~  
14 excluding the cost of land, the provisions of this subchapter and all other  
15 provisions of the Arkansas Code governing construction of public facilities,  
16 including, ~~but not limited to,~~ without limitation the provisions of § 22-9-  
17 201 et seq. at the election of ~~state agencies a state agency or the~~  
18 ~~institutions an institution~~ of higher education set forth listed in  
19 subdivision (b)(5) of this section shall not be applicable do not apply to  
20 the projects project if the selection and contracting process ~~set forth~~  
21 stated in this section is followed.

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23 /s/Nickels  
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