

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

As Engrossed: H1/15/13

A Bill

HOUSE BILL 1019

5 By: Representative Nickels
6

For An Act To Be Entitled

8 AN ACT TO ENACT THE BUY AMERICAN IN STATE PUBLIC
9 WORKS ACT; TO FOSTER THE PURCHASE AND USE OF
10 AMERICAN-MADE METALS AND PRODUCTS IN STATE PUBLIC
11 WORKS PROJECTS; AND FOR OTHER PURPOSES.
12
13

Subtitle

15 TO ENACT THE BUY AMERICAN IN STATE PUBLIC
16 WORKS ACT AND TO FOSTER THE PURCHASE AND
17 USE OF AMERICAN-MADE METALS AND PRODUCTS
18 IN STATE PUBLIC WORKS PROJECTS.
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code *Title 22, Chapter 9*, is amended to add an
24 additional subchapter to read as follows:

25 *Subchapter 8 – Buy American in State Public Works Act*

26 *22-9-801. Title.*

27 This subchapter shall be known and may be cited as the "Buy American in
28 State Public Works Act".
29

30 *22-9-802. Purpose.*

31 The purpose of this subchapter is to ensure that American iron, steel,
32 metals, and manufactured products be used to construct all state buildings
33 and public works projects.
34

35 *22-9-803. Definitions.*

36 As used in this subchapter:



1 (1) "Manufactured in the United States" means that the final
2 assembly, processing, packaging, testing, or other process that adds value,
3 quality, or reliability to a manufactured product occurs in the United
4 States;

5 (2) "Manufactured product" means a manufactured or assembled:
6 (A) Article;
7 (B) Material;
8 (C) Supply;
9 (D) Good; or
10 (E) Piece of equipment or a part, component, or
11 subcomponent of the equipment;

12 (3) "Purchasing agency" means a state agency, instrumentality,
13 department, authority, board, commission, or institution of higher education;
14 and

15 (4) "United States" means the United States of America and any
16 place subject to the jurisdiction of the United States of America.

17
18 22-9-804. Use of American iron, steel, metals, and manufactured
19 products.

20 (a) The contract of a purchasing agency for the construction,
21 alteration, maintenance, or repair of a state public building or public work
22 shall require that all of the iron, steel, metals, and manufactured products
23 used in the project be manufactured in the United States.

24 (b) Subsection (a) of this section does not apply to the extent that
25 the head of the purchasing agency finds that:

26 (1) Iron, steel, metals, or manufactured products are not
27 produced in the United States in sufficient and reasonably available
28 quantities and of a satisfactory quality; or

29 (2) Inclusion of iron, steel, metals, and manufactured products
30 manufactured in the United States will increase the cost of the overall
31 project by more than twenty-five percent (25%).

32
33 */s/Nickels*
34
35
36