1	State of Arkansas	As Engrossed: H1/15/13	
2	89th General Assembly	A Bill	
3	Regular Session, 2013		HOUSE BILL 1019
4			
5	By: Representative Nickels		
6			
7		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			
14		Subtitle	
15	TO EN	NACT THE BUY AMERICAN IN STATE PUB	BLIC
16	WORKS	S ACT AND TO FOSTER THE PURCHASE A	AND
17	USE OF AMERICAN-MADE METALS AND PRODUCTS		
18	IN ST	TATE PUBLIC WORKS PROJECTS.	
19			
20			
21	BE IT ENACTED BY THE G	ENERAL ASSEMBLY OF THE STATE OF A	RKANSAS:
22			
23	SECTION 1. Arka	nsas Code <i>Title 22, Chapter 9</i> , is	amended to add an
24	additional subchapter to read as follows:		
25	<u>Subchapter 8 — B</u>	Buy American in State Public Works	<u>Act</u>
26	<u>22-9-801. Title</u>	<u>! •</u>	
27	This subchapter	shall be known and may be cited a	s the "Buy American in
28	State Public Works Act	<u></u>	
29			
30	22-9-802. Purpo	se.	
31	The purpose of t	his 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	<u>22-9-803.</u> Defin	itions.	
36	As used in this	subchapter:	

12-19-2012 13:59:34 DLP035

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	<u>and</u>		
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			