

1 State of Arkansas  
2 90th General Assembly  
3 Third Extraordinary Session, 2016  
4

# A Bill

Call Item 14  
SENATE BILL 5

5 By: Senator Burnett  
6 By: Representative M. Hodges  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING EARTHQUAKE  
10 RESISTANT DESIGN REQUIREMENTS FOR BUILDINGS AND OTHER  
11 STRUCTURES; TO DECLARE AN EMERGENCY; AND FOR OTHER  
12 PURPOSES.  
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## Subtitle

16 TO AMEND THE LAW CONCERNING EARTHQUAKE  
17 RESISTANT DESIGN REQUIREMENTS FOR  
18 BUILDINGS AND OTHER STRUCTURES AND TO  
19 DECLARE AN EMERGENCY.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. Arkansas Code § 12-80-104(a)(2), concerning design  
25 requirements, is amended to read as follows:

26 (2)(A) Design loads and seismic design requirements shall be, as  
27 a minimum, those listed in the Chapter of Structure Loads and referenced  
28 chapters from the Arkansas Fire Prevention Code.

29 (B) Buildings or other structures classified as Category I  
30 or Category II occupancies as described in Table 1604.5, Arkansas Fire  
31 Prevention Code, Volume II, 2012 Edition, or in American Society of Civil  
32 Engineers (ASCE) Standard 7-10, Table 1.5-1, that are constructed for  
33 manufacturing or industrial occupancy or for public works may be designed  
34 using the mapped ground motion response accelerations for a ten percent  
35 probability of exceeding the design seismic event in a fifty-year period  
36 based on United States Geological Survey data, instead of the mapped ground



1 motion response accelerations for a two percent or other probability of  
2 exceeding the design seismic event in a fifty-year period as set out in the  
3 Arkansas Fire Prevention Code, 2012 Edition, or subsequent editions of the  
4 Arkansas Fire Prevention Code if the alternate design standard has been  
5 properly adopted by ordinance in the locality in which the building or other  
6 structure is to be constructed.

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8 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
9 General Assembly of the State of Arkansas that seismic design requirements  
10 found in the Arkansas Fire Prevention Code are overly restrictive based on  
11 current scientific data; that the nature of these restrictions require  
12 businesses to expend significant resources; and that this act is immediately  
13 necessary to correct this restriction, to ease the burden on businesses  
14 considering construction in Arkansas, and to promote local economic  
15 development efforts. Therefore, an emergency is declared to exist, and this  
16 act being immediately necessary for the preservation of the public peace,  
17 health, and safety shall become effective on:

- 18 (1) The date of its approval by the Governor;  
19 (2) If the bill is neither approved nor vetoed by the Governor,  
20 the expiration of the period of time during which the Governor may veto the  
21 bill; or  
22 (3) If the bill is vetoed by the Governor and the veto is  
23 overridden, the date the last house overrides the veto.

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