

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

HOUSE BILL 1827

5 By: Representatives Beaty Jr., Wardlaw  
6 By: Senators Gilmore, Beckham, Caldwell, D. Sullivan, J. Dismang  
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## For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING THE SALE OF  
10 SURPLUS HIGHWAY PROPERTY; TO AUTHORIZE THE SALE OF  
11 ROAD MILLINGS; AND FOR OTHER PURPOSES.  
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## Subtitle

15 TO AMEND THE LAW CONCERNING THE SALE OF  
16 SURPLUS HIGHWAY PROPERTY; AND TO  
17 AUTHORIZE THE SALE OF ROAD MILLINGS.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Title 27, Chapter 67, Subchapter 3, is amended to add an  
23 additional section to read as follows:

24 27-67-324. Sale of surplus road millings – Definitions.

25 (a) As used in this section:

26 (1) "Highway construction contract" means a contract for the  
27 construction, restoration, reconstruction, renovation, or repair of a road,  
28 highway, bridge, overpass, interchange, right-of-way, or turnpike that is  
29 part of the state highway system; and

30 (2) "Road millings" means recycled asphalt, concrete, or any  
31 other type of roadway that has been ground up in a milling machine and  
32 restored to the necessary consistency for creating fresh pavement.

33 (b) The State Highway Commission may sell road millings that have been  
34 declared by commission resolution to be surplus and for sale under § 27-67-  
35 322.

36 (c)(1) A highway construction contract shall:



1                   (A) List the market value of any road millings retained  
 2 from the highway construction; and

3                   (B) Contain a provision stating whether the commission or  
 4 the contractor named in the highway construction contract shall retain the  
 5 excess road millings.

6                   (2) The commission shall retain the excess road millings listed  
 7 under a highway construction contract under subdivision (c)(1) of this  
 8 section if the commission pays less than market value for the road millings  
 9 under the highway construction contract.

10                  (d)(1) The commission shall offer road millings that are for sale  
 11 under subsection (b) of this section to counties in this state:

12                   (A) Before the road millings are offered for sale to any  
 13 other political subdivision or entity; and

14                   (B) At a purchase price that does not exceed the price the  
 15 commission paid for the road millings under subdivision (c)(2) of this  
 16 section.

17                  (2) A county may request:

18                   (A) Confirmation of the purchase price paid for the road  
 19 millings by the commission;

20                   (B) That the commission pay the cost of delivering the  
 21 purchased road millings to the county; and

22                   (C) A period of up to thirty-six (36) months to pay for  
 23 the road millings purchased under subdivision (d)(1) of this section.

24                  (e) The commission may adopt rules necessary to implement this  
 25 section.

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