

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

SENATE BILL 385

By: Senators J. Dismang, B. Ballinger, Bledsoe, Caldwell, E. Cheatham, A. Clark, J. Cooper, B. Davis, L. Eads, Elliott, J. English, Flippo, T. Garner, K. Hammer, J. Hendren, Hester, Hill, Irvin, B. Johnson, M. Johnson, G. Leding, Rapert, J. Sturch, Teague, D. Wallace

By: Representatives A. Davis, Clowney, Cozart, Della Rosa, Eaves, Gonzales, Hawks, Hollowell, L. Johnson, Love, Lundstrum, Maddox, J. Mayberry, Richmond, Scott, Speaks, Sullivan, Vaught, Bentley, Cloud, Beck, Brown, Capp, Cavanaugh, Crawford, Evans, Gates, M. Gray, G. Hodges, Kelly, Ladyman, Lynch, McNair, Rye, B. Smith, Wing, Dotson, Richardson

For An Act To Be Entitled

AN ACT TO CONDUCT A STUDY OF THE ARKANSAS DEPARTMENT OF TRANSPORTATION'S PROCESSES, PROCEDURES, PROCUREMENT PROCESSES, PROJECTS, APPEALS PROCEDURES AND EXPENDITURES; TO ESTABLISH AN ANNUAL REVIEW OF THE ARKANSAS DEPARTMENT OF TRANSPORTATION; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE A STUDY AND ANNUAL REVIEW OF THE FUNCTIONS AND PROCESSES OF THE ARKANSAS DEPARTMENT OF TRANSPORTATION.

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

SECTION 1. TEMPORARY LANGUAGE. DO NOT CODIFY. Arkansas Department of Transportation – Legislative Council study.

(a)(1) The Legislative Council or the Executive Subcommittee of the Legislative Council shall hire one (1) or more consultants to assist it in conducting a study of the processes and functioning of the Arkansas Department of Transportation, including without limitation the department's processes, procedures, procurement procedures, projects, expenditures, and



appeals processes.

(2) The purpose of the study is to examine and identify areas of potential improvement within the overall functioning of the department and to recommend legislation to the General Assembly for consideration in order to:

(A) Maximize the department's use of taxpayer dollars;

(B) Improve the efficiency and overall functioning of the department; and

(C) Ensure responsiveness of the department to the needs of the State of Arkansas and its citizens with regard to improvement of the state highways and roads.

(3) In order to achieve the purposes of the study as set forth in subdivision (a)(2) of this section, the Legislative Council shall:

(A) Compare the procurement processes of the department with the requirements of the Arkansas Procurement Law, § 19-11-201, et seq.;

(B) Study and consider the best practices for functioning of state highway departments through consideration of practices in surrounding or comparable states;

(C) Audit the expenditures and procurement processes of the department in order to find ways to improve or create efficiencies in those areas; and

(D) Consider and adopt recommended legislation based on the results of the study by the Legislative Council and its consultant.

(4) The Director of State Highways and Transportation shall fully cooperate in the conduct of the study by providing:

(A) Access to the Legislative Council, a consultant of the Legislative Council, and the Bureau of Legislative Research to any requested documents and records for purposes of the study; and

(B) Timely responses to requests of the Legislative Council, a consultant of the Legislative Council, and the Bureau of Legislative Research.

(b) On or before December 1, 2020, the Legislative Council shall file with the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives a final report of its activities, findings, and recommendations, including recommended legislation related to the study.

SECTION 2. Arkansas Code § 19-4-105, concerning continuing studies and

investigations of state agencies, is amended to add an additional subsection to read as follows:

(g)(1) The Internal Audit Section shall conduct an annual project review and efficiency study of the Arkansas Department of Transportation to include without limitation a review of the processes, procedures, procurement processes, projects, appeals procedures and expenditures.

(2) The results a study under this section shall be reported to the Legislative Council no later than October 1 of each year, with the first report to be submitted by October 1, 2021.

APPROVED: 3/5/19