

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1947

By: Representative Payton

For An Act To Be Entitled

AN ACT TO TRANSFER CERTAIN STATE ENTITIES TO THE COMMISSIONER OF STATE LANDS; TO AMEND THE LAW CONCERNING THE DEPARTMENT OF LABOR AND LICENSING AND THE DEPARTMENT OF TRANSFORMATION AND SHARED SERVICES; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO TRANSFER CERTAIN STATE ENTITIES TO THE COMMISSIONER OF STATE LANDS; TO AMEND THE LAW CONCERNING THE DEPARTMENT OF LABOR AND LICENSING AND THE DEPARTMENT OF TRANSFORMATION AND SHARED SERVICES; TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 15-21-503(c)(2)(C), concerning creation of the Arkansas Geographic Information Systems Board, is amended to read as follows:

(C) The State Geographic Information Officer shall report to the ~~Secretary of the Department of Transformation and Shared Services~~ Commissioner of State Lands.

SECTION 2. Arkansas Code § 15-21-503(d), concerning creation of the Arkansas Geographic Information Systems Board, is amended to read as follows:

(d)(1) The State Geographic Information Officer shall administer daily operations of the Arkansas Geographic Information Systems Office with



direction from the board and the ~~secretary~~ Commissioner of State Lands.

(2) This may include liaison between the board, the Governor, the ~~secretary~~ Commissioner of State Lands, the State Chief Technology Officer, and public or private sector entities involved in spatial data and land records modernization, project management in the preparation of the strategic planning documents related to spatial data and land records modernization, developing policy and procedures for land records modernization, and developing policy and procedures for the activities of the board.

(3) Additional requirements are the implementation of educational programs, coordinating vendor exhibits, and facilitating technical assistance and consulting.

SECTION 3. Arkansas Code § 22-2-104 is amended to read as follows:

22-2-104. Creation of Building Authority Division.

(a) There is created within the ~~Department of Transformation and Shared Services~~ office of the Commissioner of State Lands the Building Authority Division.

(b) The division shall carry out the duties and responsibilities set out in § 22-2-108 under the policies, guidelines, standards, and procedures established by the ~~Department of Transformation and Shared Services~~ Commissioner of State Lands.

SECTION 4. Arkansas Code § 22-2-105 is amended to read as follows:

22-2-105. ~~Secretary of the Department of Transformation and Shared Services~~ Commissioner of State Lands – Duties.

(a) The ~~Secretary of the Department of Transformation and Shared Services~~ Commissioner of State Lands may hire sufficient staff as authorized by legislation to perform the duties of the Building Authority Division. Personnel employed by the ~~secretary~~ Commissioner of State Lands shall be compensated according to the Uniform Classification and Compensation Act, § 21-5-201 et seq., for similar duties and responsibilities.

(b) The ~~secretary~~ Commissioner of State Lands shall be responsible for administering the rules and policies adopted by the ~~Department of Transformation and Shared Services~~ Commissioner of State Lands pursuant to the provisions of this chapter.

(c) The ~~secretary~~ Commissioner of State Lands shall be the disbursing agent for the division and shall pay any and all accounts. The disbursing agent shall furnish and keep in effect a bond to the state with a corporate surety thereon which, together with any other bonds furnished by him or her, shall total in final sum not less than fifty thousand dollars (\$50,000) and is conditioned that he or she will faithfully perform his or her duties and properly handle all funds received and disbursed by him or her and account for those funds. The bond so furnished shall be filed in the office of the Auditor of State. The premium on the bond shall be a proper charge against funds of the division.

SECTION 5. Arkansas Code § 22-2-107 is amended to read as follows:

22-2-107. Creation of Building Authority Division sections.

(a) There are created within the Building Authority Division the following sections which shall have the duties and responsibilities designated by the ~~Secretary of the Department of Transformation and Shared Services~~ Commissioner of State Lands and which may include, in relation to other provisions of this chapter, the duties and responsibilities respectively designated in this section:

(1) Construction Section. The Construction Section shall:

(A) Supervise the bidding and awarding of contracts for new construction and renovations for or by state agencies' capital improvements;

(B) Establish and maintain complete construction files on all jobs, including plans and specifications for alterations, renovations, and repairs of all capital improvements;

(C) Approve all proposed contracts, change orders, and final payments requests;

(D) Ensure that on-site observation of all construction projects, alterations, and repairs is accomplished on a regular basis and maintain records of those observations;

(E) Obtain and maintain construction inspection and observation reports from architects or engineers or their consultants from state agencies and institutions for all capital improvement construction projects;

(F)(i) Conduct visits with the design professional to

determine the responsibility and performance required by the contract documents.

(ii) On-site observations by design professionals shall concur with the contractor's payment request and shall be submitted in written form with the pay request.

(iii) The inspection and observation reports shall be as adopted by the ~~secretary~~ Commissioner of State Lands.

(iv) State agencies shall engage the services of licensed architects or engineers for all projects covered by the Arkansas Architectural Act, § 17-15-101 et seq., and the Arkansas Engineering Act, § 17-30-101 et seq.; and

(G) Ensure that the construction of all projects complies with the contract documents;

(2) Building Operations Section. The Building Operations Section shall:

(A) Operate, maintain, and manage public buildings as required by the provisions of this chapter or otherwise by law;

(B) Provide for maintenance and operation, including janitorial services for any buildings, structures, or grounds which are owned, leased, or managed by the division as may be required by the provisions of this chapter; and

(C) Develop and, upon adoption by the ~~secretary~~ Commissioner of State Lands, enforce procedures, standards, and criteria designed to standardize the level of maintenance on all public buildings and other capital improvements;

(3) Design Review Section. The Design Review Section shall:

(A) Establish procedures for the selection of engineering, environmental, architectural, and building design consultants' services by state agencies and by the division. The procedures shall ensure an equitable opportunity for all persons and firms;

(B) Encourage, within the rules of the state, the timely and expedient commitment and expenditure of appropriations for capital improvements;

(C) Establish standard fee schedules for design professional consultant services for capital improvements;

(D) Develop and establish minimum design standards and

criteria, which shall be made available to all design professionals in the state;

(E) Utilize, require, or undertake studies concerning the needs for and costs of proposed capital improvements;

(F) Review and approve, consistent with the provisions of this chapter, contracts for design professional consultant services, preliminary plans, cost estimates, building programs, feasibility studies, and construction bid documents for capital improvements and mediate architectural and engineering design and construction-related problems;

(G) Assist in analyzing architectural and engineering design and construction problems at state-owned facilities;

(H) Ensure that state agencies shall engage the services of licensed architects and licensed engineers for capital improvement projects which are not exempted by the requirements of:

(i) The Arkansas Architectural Act, § 17-15-101 et seq.;

(ii) Section 17-30-101 et seq.; and

(iii) Section 22-9-101 et seq.; and

(I) The director shall employ within the Design Review Section the State Architect and the State Engineer who shall have sufficient private practice experience within their respective fields as well as be registered and licensed within the state; and

(4) Real Estate Services Section. The Real Estate Services Section shall:

(A) Develop and enforce minimum leasing, sale, and purchase of property standards and criteria for consideration and adoption by the ~~secretary~~ Commissioner of State Lands;

(B) Design standard lease forms to be approved by the ~~secretary~~ Commissioner of State Lands for use by state agencies as provided in this chapter;

(C) Assist state agencies and the ~~secretary~~ Commissioner of State Lands in determining and evaluating rental space needs and the allocation of space for state agencies;

(D) Conduct surveys to determine available rental space that meets minimum leasing standards and criteria and that may be available for use by state agencies;

(E) Otherwise carry out and administer those duties and responsibilities delegated to the Real Estate Services Section by the ~~secretary~~ Commissioner of State Lands and assist state agencies to ensure that rental space acquired and utilized by state agencies is acquired and utilized in a manner consistent with the intent of this chapter so that no state agency shall lease space that is not absolutely essential to the efficient performance of its duties and responsibilities; and

(F) Carry out and administer those duties and responsibilities involving the purchase or sale of property by state agencies that are under the jurisdiction of the division so as to ensure that the property is sold or purchased in a manner consistent with Arkansas laws and rules.

(b) The ~~secretary~~ Commissioner of State Lands may transfer the various duties and functions among the various sections of the division and effect any other organizational or administrative changes that may be necessary to bring about the efficient and effective implementation of this chapter.

SECTION 6. Arkansas Code § 22-2-108 is amended to read as follows:
22-2-108. Powers and duties generally.

As may be provided, allowed, or limited by the provisions of this chapter, the ~~Secretary of the Department of Transformation and Shared Services~~ Commissioner of State Lands may establish policies, guidelines, standards, and procedures which shall guide and govern the Building Authority Division with regard to the following responsibilities, duties, powers, and activities:

(1) To investigate and obtain information concerning the various boards, commissions, authorities, agencies, departments, and offices of the state, which are the "state agencies", in relation to:

(A) Where they are housed;

(B) Their present and projected needs for space and facilities;

(C) The rental being paid and the rental that state agencies could reasonably pay for space and facilities in public and private buildings; and

(D) The public building space and facilities that can be feasibly financed from appropriated funds available to the division;

(2)(A) To construct and equip buildings or to acquire by gift or purchase existing buildings and the sites upon which they are situated for use as public buildings.

(B) However, before the division may construct and equip buildings or acquire by purchase existing buildings and the sites upon which they are situated for use as public buildings, requests for the construction and equipping of those buildings or the acquisition of those existing buildings shall have been first submitted to the General Assembly, or to the Legislative Council when the General Assembly is not in session, and the General Assembly shall have reviewed and appropriated the funds therefor or specifically approved the method of funding their construction, equipping, or acquisition thereof;

(3)(A) To provide for the operation and management of the public buildings so constructed or acquired and arrange for the housing of state agencies as space and facilities permit and to rent and lease space and facilities upon such terms and conditions and for such rentals as the division may determine.

(B) Should there be any surplus space in a public building above the requirements of the state agencies that can be feasibly housed in the building, then the division may lease or rent the surplus space to individuals and organizations other than state agencies until it is needed by state agencies;

(4) To use the lands acquired by the Arkansas Revenue Department Building Commission which were transferred to State Building Services under Acts 1975, No. 716, § 6, as sites for public buildings and acquire additional sites as provided in § 22-2-109;

(5) To wreck, remove, and dispose of or salvage buildings or other improvements as necessary for the construction and equipping of public buildings or for future use of an unspecified project;

(6) To purchase, lease, or rent and receive devises, bequests, or donations of and sell or otherwise dispose of any property, real, personal, or mixed, on the division's own behalf and without the approval of any other board, commission, agency, department, or officer, and the division may convert into money any property bequeathed or donated to the division or not needed or which cannot be used in the form received;

(7)(A) To execute contracts necessary to accomplish the purposes

of this chapter, including without limitation a statewide contract for design services to expedite the procurement of design services by a state agency in an emergency.

(B) However, no contract shall be entered into for the purchase of any real property unless the division submits the contract for review to the General Assembly, or to the Legislative Council when the General Assembly is not in session, a request to purchase the property, and the General Assembly provides the funds for or approves the method of funding the purchase;

(8) To apply for, receive, accept, and use any moneys and properties from:

(A) The United States or any state, or any department or agency thereof;

(B) Any public or private corporation of any nature; and

(C) Any individual or group;

(9)(A) To establish, promulgate, and enforce minimum design and construction standards and criteria for all capital improvements undertaken by any state agency, including without limitation procedures regarding flood plain management and the bidding and awarding of capital improvements regarding projects under the jurisdiction of the division.

(B) However, the division shall not:

(i) Engage in the production of architectural plans and specifications, with the exception that the architects and engineers employed by the division may provide and make available technical assistance to the division's sections listed in § 22-2-107 and other agencies regarding capital improvements involving roofing projects, repairs, alterations, or renovations; or

(ii) Apply minimum design and construction standards and criteria to the design or construction of an unpaved trail project;

(10) To establish and enforce minimum standards and criteria for the management, maintenance, and operation of all public buildings and capital improvements;

(11) To establish and enforce minimum standards and criteria for the leasing and renting of space for and by state agencies;

(12) To provide for the management, maintenance, and operation of those public buildings as may be required by this chapter or otherwise by

law to be managed, maintained, or operated by the division and provide technical advice on management, maintenance, and operation to agencies with existing capital improvements;

(13) To provide monthly reports to the Legislative Council and to the Governor, or as otherwise may be requested by the Legislative Council, the Governor, or the General Assembly;

(14) To obtain and keep on file copies of architectural and engineering plans and construction documents for all public buildings and capital improvements, including those plans and documents for all existing public buildings and capital improvements for which plans and documents exist;

(15)(A)(i) To assume all duties and responsibilities for minor alterations and repairs of existing public buildings and capital improvements previously vested within the Office of State Procurement by Acts 1955, No. 313 [repealed], as amended by Acts 1959, No. 29 [repealed], as implemented and developed by the Construction Section.

(ii) These duties and responsibilities of the Office of State Procurement are transferred to the division.

(B) It is the intent of this chapter that the above-mentioned and all other duties and responsibilities of the Construction Section shall be transferred to the division, including approval authority for real property purchases by any agency, board, commission, or department; and

(16) To promulgate reasonable rules and procedures as may be required to carry out its duties, responsibilities, powers, and authorities under this chapter which are consistent with the purposes and intent of this chapter.

SECTION 7. Arkansas Code § 22-2-110 is amended to read as follows:
22-2-110. Schedule of supervision generally.

The powers, authorities, and responsibilities of the ~~Secretary of the Department of Transformation and Shared Services~~ Commissioner of State Lands relating to the acquisition of properties and to the supervision of all capital improvements, as defined in § 22-2-102, shall be in accordance with the schedules of supervision as provided in §§ 22-2-111 – 22-2-113.

SECTION 8. Arkansas Code § 22-2-112(b), concerning schedule of supervision, type two, and designated funds appropriated by the General Assembly to the Building Authority Division, is amended to read as follows:

(b) The division shall review and approve architectural and engineering design plans and construction plans to ensure compliance with minimum design and construction standards and criteria promulgated by the ~~Secretary of the Department of Transformation and Shared Services~~ Commissioner of State Lands pursuant to this chapter.

SECTION 9. Arkansas Code § 22-2-114(a)(3), concerning leasing responsibilities of the Building Authority Division, is amended to read as follows:

(3) Any state agency or component part thereof needing new or additional space shall notify the division, and the division shall prepare a lease for the space based upon the standards and criteria as adopted by the ~~Secretary of the Department of Transformation and Shared Services~~ Commissioner of State Lands. If space is available in a public building, the lease will be negotiated for placement in the public building;

SECTION 10. Arkansas Code § 22-2-114(a)(5)(A)(i), concerning leasing responsibilities of the Building Authority Division, is amended to read as follows:

(5)(A)(i) The ~~secretary~~ Commissioner of State Lands shall adopt standards and criteria for the leasing and utilization of space and the allocation of space to state agencies.

SECTION 11. Arkansas Code § 22-2-114(a)(6), concerning leasing responsibilities of the Building Authority Division, is amended to read as follows:

(6) Leases as to office space, buildings, structures, parking lots, and grounds from private individuals, firms, and corporations by state agencies and component parts thereof shall be on a standard lease form approved by the ~~secretary~~ Commissioner of State Lands. The standard lease form shall contain all terms and conditions deemed necessary based on the type and purpose of the leased property. The ~~secretary~~ Commissioner of State Lands also shall adopt a standard lease form to be used by state agencies

when subleasing from the division. Both standard lease forms shall be approved as to the legality of form and content by the Attorney General before becoming a requirement; and

SECTION 12. Arkansas Code § 22-2-115(a) concerning lease purchase agreements, is amended to read as follows:

(a) For the express purpose of providing adequate office facilities, the ~~Secretary of the Department of Transformation and Shared Services~~ Commissioner of State Lands, acting as the primary lessor, may enter into lease-purchase agreements to obtain facilities for state agencies. Each lease-purchase agreement shall contain a provision whereby the agreement shall be cancelled at the close of each fiscal biennium, if necessary, if funds for the payment of the rent under the lease-purchase agreement will not be available.

SECTION 13. Arkansas Code § 22-2-115(b)(1) concerning lease purchase agreements, is amended to read as follows:

(b)(1) The ~~secretary~~ Commissioner of State Lands shall make the final determination regarding the location or construction of facilities with the advice and consent of the appropriate state agency.

SECTION 14. Arkansas Code § 22-2-120(b), concerning exemption from statutes concerning the Capitol Zoning District, is amended to read as follows:

(b) The ~~Secretary of the Department of Transformation and Shared Services~~ Commissioner of State Lands shall endeavor to cooperate with the Capitol Zoning District Commission so as to establish coordinated physical development in the State Capitol area and to promote the uniform and appropriate regulation and development of the State Capitol area.

SECTION 15. Arkansas Code § 22-5-303 is amended to read as follows:
22-5-303. Additional duties of Commissioner of State Lands.

(a) In addition to other duties and powers conferred by law upon the Commissioner of State Lands, he or she shall:

(1) Effectuate the policies and carry out the purposes declared in § 22-5-301, including:

(A) Securing the cooperation and assistance of the United States and any of its agencies; and

(B) Entering into contracts, agreements, and conveyances necessary to secure such federal assistance;

(2) Conduct investigations, independently or jointly with other state and federal agencies, relating to conditions and factors affecting, and methods of accomplishing more effectively, the purposes of this subchapter;

(3) Assign lands to the several state agencies for administration, subject to their agreement and acceptance; ~~and~~

(4) Review, compile, and maintain inventory records of the real property owned by the State of Arkansas based upon the information submitted under §§ 22-5-209 and 22-5-411 and the records in his or her office; and

(5) Provide administrative support to all entities transferred to the Commissioner of State Lands.

(b) Each division of the office of the Commissioner of State Lands shall be under the direction, control, and supervision of the Commissioner of State Lands.

(c) The Commissioner of State Lands may delegate his or her functions, powers, and duties to various divisions or employees of the office of the Commissioner of State Lands as he or she shall deem desirable and necessary for the effective and efficient operation of the office of the Commissioner of State Lands.

(d) The Commissioner of State Lands may, unless otherwise provided by law:

(1) Hire personnel; and

(2) Perform or assign duties assigned to the office of the Commissioner of State Lands or any entity transferred to the Commissioner of State Lands.

SECTION 16. Arkansas Code Title 22, Chapter 5, Subchapter 3, is amended to add an additional section to read as follows:

22-5-312. Entities transferred to Commissioner of State Lands – Definitions.

(a) As used in this section:

(1)(A) “Administrative functions” means the day-to-day business operations of a state entity, including without limitation employment,

payroll, property management, benefit management, human resource operations, and accounting operations of a state entity and all other duties as assigned by the Commissioner of State Lands or his or her designee.

(B) "Administrative functions" does not include the promulgation of rules or issuance of orders on behalf of any state entity unless specifically designated by statute, rule, order, or directive;

(2) "State entity" means any instrumentality of state government, including without limitation a board, commission, committee, advisory board, office, department, institution, bureau, council, administrative program, agency, or division; and

(3) "Transfer" means a transfer of the administrative functions of a state entity to the Commissioner of State Lands under this section.

(b) The administrative functions of the following state entities are transferred in the same manner as a cabinet-level department transfer under § 25-43-101 et seq. to the Commissioner of State Lands:

(1) The Arkansas Abstracters' Board, created under § 17-11-401;

(2) The Arkansas Geographic Information Systems Board, created under § 15-21-503;

(3) The Arkansas Geographic Information Systems Office, created under § 15-21-502;

(4) The Arkansas Real Estate Commission, created under § 17-42-201;

(5) The Building Authority Division, created under § 22-2-104;

(6) The State Board of Licensure for Professional Engineers and Professional Surveyors, created under § 17-30-201; and

(7) The State Board of Registration for Professional Geologists, created under § 17-32-201.

(c) Unless otherwise provided by law, a transfer under subsection (b) of this section includes all state entities under a state entity transferred to the Commissioner of State Lands under subsection (b) of this section, including without limitation a division, office, program, or other unit of a state entity transferred to the Commissioner of State Lands under subsection (b) of this section.

(d) Unless otherwise provided by law, a state entity whose administrative functions have been transferred to the Commissioner of State Lands under subsection (a) of this section shall otherwise continue to

exercise the duties of the state entity under the administration of the Commissioner of State Lands in the same manner as before the transfer.

SECTION 17. Arkansas Code § 25-43-1102(a), concerning state entities transferred to the Department of Labor and Licensing, is amended to read as follows:

(a) The administrative functions of the following state entities are transferred to the Department of Labor and Licensing by a cabinet-level department transfer:

- ~~(1) The Arkansas Abstracters' Board, created under § 17-11-401;~~
- ~~(2) The Arkansas Appraiser Licensing and Certification Board, created under § 17-14-201;~~
- ~~(3)~~(2) The Arkansas Fire Protection Licensing Board, created under § 20-22-606;
- ~~(4)~~(3) The Arkansas Home Inspector Registration Board, created under § 17-52-304;
- ~~(5)~~(4) The Arkansas Manufactured Home Commission, created under § 20-25-105;
- ~~(6)~~(5) The Arkansas Mediation and Conciliation Service, defined under § 11-2-203;
- ~~(7)~~(6) The Arkansas Motor Vehicle Commission, created under § 23-112-201;
- ~~(8) The Arkansas Real Estate Commission, created under § 17-42-201;~~
- ~~(9)~~(7) The Arkansas State Board of Architects, Landscape Architects, and Interior Designers, created under § 17-15-201;
- ~~(10)~~(8) The Arkansas State Board of Public Accountancy, created under § 17-12-201;
- ~~(11)~~(9) The Arkansas Towing and Recovery Board, created under § 27-50-1203;
- ~~(12)~~(10) The Auctioneer's Licensing Board, created under § 17-17-201;
- ~~(13)~~(11) The Board of Electrical Examiners of the State of Arkansas, created under § 17-28-201;
- ~~(14)~~(12) The Contractors Licensing Board, created under § 17-25-201;

~~(15)~~(13) The Department of Labor, created under § 25-43-1105, now to be known as the “Division of Labor”;

~~(16)~~(14) The Elevator Inspection and Permits Elevator Safety Board under § 20-24-105;

~~(17)~~(15) The HVACR Licensing Board, created under § 17-33-201;

~~(18)~~(16) The Pawnbroker Licensure Commission, created under § 17-56-201;

~~(19)~~(17) The Professional Bail Bond Company and Professional Bail Bondsman Licensing Board, created under § 17-19-106;

~~(20)~~(18) The State Athletic Commission, created under § 17-22-201;

~~(21)~~(19) The State Board of Barber Examiners, created under § 17-20-201;

~~(22)~~(20) The State Board of Collection Agencies, created under § 17-24-201;

~~(23)~~ The State Board of Licensure for Professional Engineers and Professional Surveyors, created under § 17-30-201;

~~(24)~~ The State Board of Registration for Professional Geologists, created under § 17-32-201; and

~~(25)~~(21) The Workers’ Compensation Commission, created under § 11-9-201.

SECTION 18. Arkansas Code § 25-43-1502, concerning state entities transferred to the Department of Transformation and Shared Services, is amended to read as follows:

(a) The administrative functions of the following state entities are transferred to the Department of Transformation and Shared Services by a cabinet-level department transfer:

(1) ~~The Arkansas Geographic Information Systems Board, created under § 15-21-503;~~

(2) ~~The Arkansas Geographic Information Systems Office, created under § 15-21-502;~~

~~(3) The Building Authority Division, created under § 22-2-104;~~

~~(4) The Data and Transparency Panel, created under § 25-4-127;~~

~~(5)~~(2) The Department of Information Systems, created under § 25-4-104, now to be known as the “Division of Information Systems”;

- ~~(6)~~(3) The Employee Benefits Division, created under § 25-43-1505;
- ~~(7)~~(4) The Office of Personnel Management, created under § 25-43-1504;
- ~~(8)~~(5) The Office of State Procurement, created under § 19-11-215;
- ~~(9)~~(6) The State and Public School Life and Health Insurance Board, created under § 21-5-402; and
- ~~(10)~~(7) The State Technology Council, created under § 25-33-101.

SECTION 19. DO NOT CODIFY. Transfer of state entities to Commissioner of State Lands.

(a) The following entities are transferred from the Department of Labor and Licensing to the Commissioner of State Lands:

- (1) The Arkansas Abstracters' Board, created under § 17-11-401;
- (2) The Arkansas Real Estate Commission, created under § 17-42-201;
- (3) The State Board of Licensure for Professional Engineers and Professional Surveyors, created under § 17-30-201; and
- (4) The State Board of Registration for Professional Geologists, created under § 17-32-201.

(b) The following entities are transferred from the Department of Transformation and Shared Services to the Commissioner of State Lands:

- (1) The Arkansas Geographic Information Systems Board, created under § 15-21-503;
- (2) The Arkansas Geographic Information Systems Office, created under § 15-21-502; and
- (3) The Building Authority Division, created under § 22-2-104.

(c)(1) The administrative functions of the state entities in subsections (a) and (b) of this section are transferred in the same manner as a cabinet-level department transfer under § 25-43-101 et seq.

(2) All duties assigned under § 25-43-101 et seq. to the Secretary of the Department of Labor and Licensing and the Secretary of the Department of Transformation and Shared Services concerning the state entities in subsections (a) and (b) of this section shall be performed by the Commissioner of State Lands.

(d) The statutory authority, powers, duties, functions, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds, including the functions of budgeting or purchasing of the state entities transferred by subsection (a) of this section, are transferred from the Department of Labor and Licensing to the Commissioner of State Lands.

(e) The statutory authority, powers, duties, functions, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds, including the functions of budgeting or purchasing of the state entities transferred by subsection (b) of this section, are transferred from the Department of Transformation and Shared Services to the Commissioner of State Lands.

(f)(1) The transfer of the state entities under this section does not affect the orders, rules, regulations, directives, or standards made or promulgated by the state entities before the effective date of this act.

(2) The orders, rules, regulations, directives, or standards under subdivision (f)(1) of this section shall continue with full force and effect until amended or repealed under authority given by law.

(g) The Department of Labor and Licensing and the Department of Transformation and Shared Services shall grant access to and provide all information requested by the Commissioner of State Lands to accomplish the transfer of the state entities transferred in this section and the statutory duties of the state entities transferred in this section.

SECTION 20. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the transfers of certain state entities to the Commissioner of State Lands under this act preserves the public peace, health, and safety by creating an efficient use of state resources and consolidation of state property management in the office of the Commissioner of State Lands; that this act provides for the transfer of state entities from the Department of Labor and Licensing and the Department of Transformation and Shared Services to the Commissioner of State Lands; and that this act should become effective on July 1, 2021, to coincide with the appropriation bills of the Department of Labor and Licensing, the Department of Transformation and Shared Services, and the Commissioner of State Lands, and ensure that the transferred state entities continue to provide the vital

services to the people of this state as the transfer is implemented and do not experience any issues with funding under the transfer. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2021.