

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

SENATE BILL 399

By: Senator Flippo  
By: Representative Jean

## For An Act To Be Entitled

AN ACT TO AMEND THE ARKANSAS PROCUREMENT LAW AS IT RELATES TO MANDATORY STATE CONTRACTS; TO EXEMPT STATE AGENCIES FROM MANDATORY STATE CONTRACTS IN CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

## Subtitle

TO AMEND THE ARKANSAS PROCUREMENT LAW AS IT RELATES TO MANDATORY STATE CONTRACTS; AND TO EXEMPT STATE AGENCIES FROM MANDATORY STATE CONTRACTS IN CERTAIN CIRCUMSTANCES.

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

SECTION 1. Arkansas Code § 19-11-223(b), concerning commodities, technical and general services, and professional and consultant services under mandatory state contract, is amended to read as follows:

~~(b)(1) Unless an exemption is approved by the director under subdivision (b)(2) of this section, a~~ A state agency that requires commodities, technical and general services, and professional and consultant services that are under a mandatory state contract shall procure these commodities, technical and general services, and professional and consultant services exclusively under the mandatory state contract, unless:

~~(2)(A) Except as provided in (1) The contract is procured under § 19-11-233, the director may approve an exemption from a mandatory state contract awarded under this section only if the; or~~



(2)(A) The state agency demonstrates to the satisfaction of the director that substantial savings will likely be effected by purchasing outside of the mandatory state contract.

~~(B)(i) Approval of an exemption from a mandatory state contract under this section shall be in writing.~~

~~(ii) Denial of a request for an exemption from a mandatory state contract under this section is not required to be in writing.~~

(B) A state agency that is exempt from purchasing under a mandatory state contract under subdivision (b)(2)(A) of this section shall keep records as required by rule that evidence the savings realized by the agency from purchasing outside of the mandatory state contract.