

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

SENATE BILL 62

5 By: Senator Hill
6 By: Representative Wardlaw
7

For An Act To Be Entitled

9 AN ACT TO PROHIBIT PUBLIC ENTITIES FROM CONTRACTING
10 WITH COMPANIES THAT BOYCOTT ENERGY, FOSSIL FUEL,
11 FIREARMS, AND AMMUNITION INDUSTRIES; AND FOR OTHER
12 PURPOSES.
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Subtitle

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15 TO PROHIBIT PUBLIC ENTITIES FROM
16 CONTRACTING WITH COMPANIES THAT BOYCOTT
17 ENERGY, FOSSIL FUEL, FIREARMS, AND
18 AMMUNITION INDUSTRIES.
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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 Title 25, Chapter 1, is amended to add an
25 additional subchapter to read as follows:

26 Subchapter 10 – Prohibition on public entities contracting with entities that
27 boycott energy, fossil fuel, firearms, and ammunition industries.
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29 25-1-1001. Definitions.

30 As used in this subchapter:

31 (1) “Boycott ” means:

32 (i) Engaging in refusals to deal;

33 (ii) terminating business activities; or

34 (iii) Other actions that are intended to limit public
35 entity’s commercial relations with an industry in a discriminatory manner.

36 (2)(A) “Company” means a sole proprietorship, organization,



1 association, corporation, partnership, joint venture, limited partnership,
2 limited liability partnership, limited liability company, or other entity or
3 business association, including all wholly owned subsidiaries, majority-owned
4 subsidiaries, parent companies, or affiliates of those entities or business
5 associations;

6 (B) "Company" does not include a "financial services
7 provider" as defined in § 4-88-201(5);

8 (3) "Public entity" means a state or local government entity,
9 including a:

10 (A) Department, division, agency, office, commission,
11 board, constitutional office, or other government organization;

12 (B) Political subdivision, including a city, county,
13 municipality, town, or conservation district; and

14 (C) Public school, public school district, charter school,
15 or public institution of higher education.

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17 25-1-1002. Prohibition on contracting with entities that boycott
18 energy, fossil fuel, firearms, and ammunition industries.

19 (a) Except as provided under subsection (c) of this section, a public
20 entity shall not:

21 (1) Enter into a contract with a company to acquire or dispose
22 of services, supplies, information technology, or construction unless the
23 contract includes a written certification that the person or company is not
24 currently engaged in, and agrees for the duration of the contract not to
25 engage in, a boycott of energy, fossil fuel, firearms, and ammunition
26 industries; or

27 (2) Engage in a boycott of energy, fossil fuel, firearms, and
28 ammunition industries.

29 (b) A company's statement that it is participating in boycotts of
30 energy, fossil fuel, firearms, and ammunition industries or that it has taken
31 the boycott action at the request, in compliance with, or in furtherance of
32 calls for a boycott can be considered by the Office of State Procurement as a
33 type of evidence, among others, that a company is participating in a boycott
34 of energy, fossil fuel, firearms, and ammunition industries.

35 (c) This section does not apply to:

36 (1) A company that fails to meet the requirements under

1 subsection (a) of this section but offers to provide the goods or services
2 for at least twenty percent (20%) less than the lowest certifying business;

3 or

4 (2) Contracts with a total potential value of less than one
5 thousand dollars (\$1,000).

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