

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: H3/18/11

A Bill

HOUSE BILL 1760

5 By: Representatives Summers, Woods
6

For An Act To Be Entitled

8 *AN ACT TO CREATE ARTS AND CULTURAL DISTRICTS; AND FOR*
9 *OTHER PURPOSES.*

Subtitle

12 *TO CREATE ARTS AND CULTURAL DISTRICTS.*

13
14
15
16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
17

18 SECTION 1. Arkansas Code Title 15, Chapter 11, is amended to add an
19 additional subchapter to read as follows:

20 Subchapter 8 – Arkansas Arts and Cultural Districts Act

21
22 15-11-801. Title.

23 This subchapter shall be known as the "Arkansas Arts and Cultural
24 Districts Act".

25
26 15-11-802. Definitions.

27 As used in this subchapter:

28 (1) "Artistic work" means an original and creative work that:

29 (A) Is created, written, composed, or executed; and

30 (B) Falls into one (1) or more of the following

31 categories:

32 (i) A book or other writing;

33 (ii) A play or performance of a play;

34 (iii) An instrumental or vocal musical composition
35 or the performance of an instrumental or vocal musical composition;

36 (iv) A painting or other picture;



- 1 (v) A sculpture;
- 2 (vi) A traditional or fine craft;
- 3 (vii) The creation of a film or television
- 4 production or the acting within a film or television production;
- 5 (viii) The creation of a dance or the performance of
- 6 a dance;
- 7 (ix) The creation of original jewelry, clothing,
- 8 costumes, or clothing or costume design; or
- 9 (x) Any other product generated as a result of a
- 10 work listed in subdivisions (1)(B)(i)–(ix) of this section;

11 (2) "Arts and cultural district" means a developed district of

12 public and private uses that:

13 (A) Is well recognized as an area in which there is a high

14 concentration of arts and cultural resources that serve as an anchor

15 attraction; and

16 (B) Ranges in size from a portion of a city or county to a

17 regional district with a special coherence;

18 (3) "Arts and cultural enterprise" means a for-profit or not-

19 for-profit entity dedicated to visual or performing arts; and

20 (4) "Qualifying residing artist" means an individual who:

21 (A) Owns or rents residential real property in the county

22 in which the arts and cultural district is located;

23 (B) Conducts a business in the arts and cultural district;

24 and

25 (C) Derives income from the sale or performance within the

26 arts and cultural district of an artistic work that the individual wrote,

27 composed, executed, or otherwise created, either alone or with others, in the

28 arts and cultural district.

29

30 15-11-803. Applicability.

31 This subchapter does not apply to:

32 (1) The creation or execution of artistic work for industry-

33 oriented or industry-related production; or

34 (2) Tailoring services, clothing alteration, or jewelry repair.

35

36 15-11-804. Creation of arts and cultural districts.

1 (a) The following may apply to the Arkansas Arts Council to designate
2 an arts and cultural district:

3 (1) A city or county for an area within the city or county;

4 (2) With the prior consent of the city, a county, on its own
5 behalf or on behalf of a city, for an area in the city; or

6 (3) Two (2) or more cities or counties jointly for an area at
7 least partially located in each city or county.

8 (b) The application shall:

9 (1) Be in the form and manner and contain the information
10 required by the council;

11 (2) Contain sufficient information to allow the council to
12 determine if the proposed district qualifies under § 15-11-802(2); and

13 (3) Be submitted for a city or county by the chief elected
14 officer or, if none, the governing body of the city or county.

15
16 15-11-805. Rules.

17 The Arkansas Arts Council shall promulgate rules to implement this
18 subchapter.

19
20 /s/Summers

21
22
23 **APPROVED: 04/01/2011**