

1 State of Arkansas As Engrossed: H3/18/21 H3/29/21

2 93rd General Assembly

A Bill

3 Regular Session, 2021

SENATE BILL 418

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5 By: Senator J. Dismang

6 By: Representative L. Johnson

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For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW REGARDING THE STATE PARKS,
10 RECREATION, AND TRAVEL COMMISSION; TO AMEND THE
11 AUTHORITY OF THE STATE PARKS, RECREATION, AND TRAVEL
12 COMMISSION RELATED TO FEES FOR SERVICES; TO AUTHORIZE
13 THE STATE PARKS DIVISION TO UTILIZE DYNAMIC PRICING
14 FOR EVENTS, SERVICES, AND OVERNIGHT ACCOMMODATIONS;
15 AND FOR OTHER PURPOSES.

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Subtitle

19 TO AMEND THE AUTHORITY OF THE STATE
20 PARKS, RECREATION, AND TRAVEL COMMISSION
21 RELATED TO FEES FOR SERVICES; AND TO
22 AUTHORIZE THE STATE PARKS DIVISION TO
23 UTILIZE DYNAMIC PRICING FOR EVENTS,
24 SERVICES, AND OVERNIGHT ACCOMMODATIONS.

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

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29 SECTION 1. Arkansas Code § 22-4-305 is amended to read as follows:

30 22-4-305. Authority of State Parks, Recreation, and Travel Commission
31 to impose fees for services – Pledge of revenues from fees – Restrictions.

32 (a)(1) The State Parks, Recreation, and Travel Commission ~~is~~
33 ~~authorized and directed to~~ shall direct the State Parks Division to prescribe
34 and collect reasonable fees, rates, tolls, and charges for the services,
35 facilities, and commodities rendered by the properties and equipment of the
36 state parks system.



1 (2) The division in coordination with the Secretary of the
2 Department of Parks, Heritage, and Tourism shall annually develop a schedule
3 of base fees, rates, tolls, charges, and rentals for lodging, camping,
4 events, services, and all other accommodations offered across the state parks
5 system.

6 (3) The division shall submit annually the schedule of fees,
7 rates, tolls, charges, and rentals to the commission for review and approval.

8 (4)(A) The division may increase or decrease approved fees,
9 rates, tolls, charges, and rentals charged for lodging, camping, events,
10 services, and all other accommodations using a dynamic pricing strategy based
11 on market forces such as seasonal variation in demand, occupancy, market
12 analysis, and special event interest in order to maximize revenues from the
13 use of state resources to promote the fiscal soundness and long-term
14 sustainability of the state parks system.

15 (B) Fees, rates, tolls, charges, and rentals may be
16 increased by up to twenty percent (20%) or decreased by up to fifty percent
17 (50%) under subdivision (a)(4)(A) of this section.

18 (5) The division shall submit annually a report regarding the
19 implementation of the dynamic pricing strategy to the commission and the
20 Legislative Council.

21 (6) The fees, rates, tolls, charges, and rentals established
22 under this subchapter are not subject to the rulemaking requirements of the
23 Arkansas Administrative Procedure Act, § 25-15-201 et seq.

24 (b) The authority and power of the commission includes the right to
25 erect and operate cabins, lodges, restaurants, and other facilities and
26 improvements for the convenience of the public and the right to erect and
27 lease to third parties for operation such facilities and improvements upon
28 such terms as the commission may determine.

29 (c)(1) The commission shall ~~revise the rates, fees, tolls, charges,~~
30 ~~and rentals whenever necessary to ensure that the revenues therefrom~~ from
31 rates, fees, tolls, charges, and rentals, together with other available
32 funds, shall be fully sufficient to discharge all obligations of the
33 commission pertaining to the principal of and interest on any bonds as the
34 principal and interest become due.

35 (2) The gross revenue derived by the commission from all or any
36 part of the properties and equipment of the state parks system may be pledged

1 to the payment of revenue bonds authorized to be issued by this subchapter
2 even though the proceeds from a particular bond issue may be used for the
3 development or improvement of one (1) or more, but less than all, state
4 parks.

5 (d) The bonds shall not constitute an indebtedness of the commission
6 or of the State of Arkansas within the meaning of any constitutional or
7 statutory limitation, and this shall be so stated on the face of each bond.

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/s/J. Dismang

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