

**REPORT OF THE
ADMINISTRATIVE RULES SUBCOMMITTEE
OF THE
ARKANSAS LEGISLATIVE COUNCIL**

June 21, 2024

Co-Chairs:

The Administrative Rules Subcommittee met on Thursday, June 20, 2024, at 1:30 p.m., in Room A, MAC.

- 1. The Subcommittee reviewed and approved one rule held over from its meeting of May 30, 2024:**

**DEPARTMENT OF AGRICULTURE, ARKANSAS LIVESTOCK AND
POULTRY COMMISSION**

- a. Arkansas Egg Marketing Rule**

- 2. The Subcommittee reviewed and approved the following rules filed pursuant to Ark. Code Ann. § 10-3-309:**

ARKANSAS TEACHER RETIREMENT SYSTEM

- a. Rule 6: Membership and Employer Participation**

**DEPARTMENT OF EDUCATION, DIVISION OF ELEMENTARY AND
SECONDARY EDUCATION**

- a. Rules Governing Petitions for Student Transfers**
- b. Rules Governing the Right to Read Act**
- c. Rules Governing the Arkansas Student Protection Act**
- d. Rules Governing Educator Performance**

**DEPARTMENT OF ENERGY AND ENVIRONMENT, DIVISION OF
ENVIRONMENTAL QUALITY**

- a. Rule No. 12: Storage Tanks**

**DEPARTMENT OF ENERGY AND ENVIRONMENT, OIL AND GAS
COMMISSION**

- a. Rule D-23: General Rule for the Regulation of Underground Natural Gas and Other Gas Storage Projects**

DEPARTMENT OF HEALTH, STATE BOARD OF HEALTH

- a. Standards Pertaining to Human Breast Milk Bank**

DEPARTMENT OF HUMAN SERVICES

- a. Audit Guidelines**

**DEPARTMENT OF HUMAN SERVICES, DIVISION OF AGING, ADULT, AND
BEHAVIORAL HEALTH SERVICES**

- a. Assisted Living Facility Cost Reporting Pursuant to Act 198**

**DEPARTMENT OF HUMAN SERVICES, DIVISION OF CHILDREN AND
FAMILY SERVICES**

- a. Changes Pursuant to the Trafficking Victims Prevention and Protection Reauthorization Act of 2022**

**DEPARTMENT OF HUMAN SERVICES, DIVISION OF CHILDREN AND
FAMILY SERVICES, CHILD WELFARE AGENCY REVIEW BOARD**

- a. Residential Licensing Standards**

**DEPARTMENT OF HUMAN SERVICES, DIVISION OF DEVELOPMENTAL
DISABILITIES SERVICES**

- a. Crisis Stabilization Units**

**DEPARTMENT OF HUMAN SERVICES, DIVISION OF PROVIDER SERVICES
AND QUALITY ASSURANCE**

- a. Licensure for Veterans, Spouses, and Active Military**

- 3. Pursuant to Act 595 of 2021, the Subcommittee received the following agency update on outstanding rulemaking relating to legislation from the 2021 Regular Session:**

- a. Department of Education**

- 4. Pursuant to Act 595 of 2021, the Subcommittee received the following agency updates on outstanding rulemaking relating to legislation from the 2023 Regular Session:**
 - 1. Department of Education**
 - 2. Arkansas Teacher Retirement System**
 - 3. Department of Agriculture**
 - 4. Department of Commerce, Arkansas Economic Development Commission**
 - 5. Department of Commerce, State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services**
 - 6. Department of Commerce, State Insurance Department**
 - 7. Department of Corrections**
 - 8. Department of Energy and Environment**
 - 9. Department of Finance and Administration, Regulatory Division**
 - 10. Department of Finance and Administration, Revenue Division**
 - 11. Department of Health**
 - 12. Department of Human Services**
 - 13. Department of Inspector General, Tax Appeals Commission**
 - 14. Department of Labor and Licensing**
 - 15. Department of Public Safety**
 - 16. Secretary of State**
- 5. Pursuant to Act 781 of 2017 and Act 65 of 2021, the Subcommittee accepted the recommendation of the following Group 2 agencies to extend and repeal rules as outlined in the attached reports:**
 - a. Department of Commerce, Arkansas Development Finance Authority**
 - b. Department of Commerce, Arkansas Economic Development Commission**
 - c. Department of Commerce, State Bank Department**

- d. Department of Commerce, State Securities Department**
- 6. The Subcommittee discussed with the Department of Corrections AD 2024-10, Movement of Pregnant Women, effective date of March 5, 2024.**

Respectfully submitted,

Representative Brian Evans, Co-Chair

Senator Kim Hammer, Co-Chair

Act 781 of 2017 Rules Report

for Department of Commerce - Arkansas Development Finance Authority

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Department of Commerce - Arkansas Development Finance Authority				
Enforce				
ADFA Low Income Housing Tax Credit Compliance Policy				
ID#: 46				
Statutory Authority:	Ark. Code Ann. § 15-5-207(b)(24)	10/13/2014	11/14/2014	10/15/2014
Required under State or Federal Law:	26 U.S.C. § 42(m)			
Requirement Statement:	Required to comply with federal regulations.			
Enforce or Repeal?:	Enforce			
Agency Justification:	Required under Internal Revenue Code Section 42.			
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/109/Rules/46/Final/compliance policies 2013-2014 with clean final.pdf			
ADFA Minimum Design Standards				
ID#: 49				
Statutory Authority:	Ark. Code Ann. § 15-5-207(b)(5)	10/18/2012	11/21/2012	10/22/2012
Required under State or Federal Law:	(none)			
Requirement Statement:	(none)			
Enforce or Repeal?:	Enforce			
Agency Justification:	Mandates minimum design standards for program participants.			
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/109/Rules/49/Final/Multi-Family Housing Minimum Design Standards Final.pdf			
ADFA Professional Selection Policy				
ID#: 814				
Statutory Authority:	Ark. Code Ann. § 15-5-207(b)(5)	08/29/2005	08/29/2005	08/29/2005
Required under State or Federal Law:	Ark. Code Ann. § 15-5-207(b)(10)(C)			
Requirement Statement:	Prior to the engagement of a financial institution to serve as trustee, paying agent, or in any fiduciary capacity in connection with any program, indenture, or general resolution of the authority, the authority shall request proposals for services, and the selection of the financial institution shall be made on the basis of the response to such a request that is the most economical and in the best interest of the Authority.			
Enforce or Repeal?:	Enforce			
Agency Justification:	Supplements Ark. Code Ann. 15-5-207			
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/109/Rules/814/Final/109.00.05-001F-7803.pdf			
Arkansas Housing Trust Fund (AHTF) Program Regulations				
ID#: 876				
Statutory Authority:	Ark. Code Ann. § 15-5-1707	05/19/2014	05/19/2014	05/19/2014
Required under State or Federal Law:	Ark. Code Ann. § 15-5-1707			
Requirement Statement:	The Arkansas Housing Trust Fund Advisory Committee will operate within the structure of the Arkansas Development Finance Authority and will advise the Board of Directors of the Arkansas Development Finance Authority on matters relating to the Arkansas Housing Trust Fund and its programs. The responsibilities of the advisory committee shall be to collaborate with the staff of the authority in drafting rules, compliance responsibilities, set-asides, and funding priorities for the fund and the programs funded by the fund, which rules and policies will be referred by the committee to the authority for its review and approval.			
Enforce or Repeal?:	Enforce			
Agency Justification:	Authorized under the Arkansas Housing Trust Fund Act of 2009.			
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/109/Rules/876/Final/109.00.14-001F-14235.pdf			
Arkansas Housing Trust Fund Policy				
ID#: 48				

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: Ark. Code Ann. § 15-5-1707 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: Program still active. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/109/Rules/48/Final/ARKANSAS HOUSING TRUST FUND Program Regulations - FINAL @ 2.5.pdf	05/16/2014	06/18/2014	05/19/2014	
Community Development Block Grant (CDBG) Disaster Program 109.04.10-001				ID#: 854
Statutory Authority: Ark. Code Ann. § 15-5-207(b)(16) ☒ Required under State or Federal Law: 24 C.F.R. Part 570 Requirement Statement: Required to comply with federal regulations. Enforce or Repeal?: Enforce Agency Justification: Program is still active. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/109/Rules/854/Final/109.04.10-001F-10654.pdf	03/02/2010	03/02/2010	03/02/2010	
Criminal Background Check Policy 109.00.05-002				ID#: 820
Statutory Authority: Ark. Code Ann. § 15-5-207(b)(5) ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: Permissible under Act 2173 of 2005. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/109/Rules/820/Final/109.00.05-002F-7796.pdf	08/30/2005	08/30/2005	08/30/2005	
Development Finance Loan Policy 109.00.03-001				ID#: 801
Statutory Authority: Ark. Code Ann. § 15-5-207(b)(12)(A) ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: Program is still active. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/109/Rules/801/Final/109.00.03-001F.pdf	10/23/2003	11/01/2003	10/23/2003	
Disadvantaged Business Enterprise Contractor Loan Program (DBE Program) 109.01.08-001				ID#: 835
Statutory Authority: Ark. Code Ann. § 15-5-207(b)(5) ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: Promulgated pursuant to Act 623 of 1989. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/109/Rules/835/Final/109.01.08-001F-9752.pdf	05/29/2008	05/29/2008	05/29/2008	
Farm Mediation Regulations 109.03.94-001				ID#: 783
Statutory Authority: Ark. Code Ann. § 15-5-207(b)(16) ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: Regulates the Farm Mediation Program. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/109/Rules/783/Final/AFMP - Farmer_Creditor Mediation Program Rules and Regulations_03201990.pdf	04/20/1994	04/20/1994	04/20/1994	

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Finance Adjustment Factor (FAF) / Below Market Interest Rate (BMIR) Program Policies 109.04.11-004 ☐ Statutory Authority: Ark. Code Ann. § 15-5-207(b)(12)(A) ☐ Required under State or Federal Law: (none) ☐ Requirement Statement: (none) ☐ Enforce or Repeal?: Enforce ☐ Agency Justification: Program still active. ☐ Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/109/Rules/867/Final/109.04.11-004F-12697.pdf	10/24/2011	10/24/2011	10/24/2011	ID#: 867
HOME Compliance Manual 109.04.13-005				ID#: 875
☒ Statutory Authority: Ark. Code Ann. § 15-5-207(b)(24) ☒ Required under State or Federal Law: 24 C.F.R. Part 92 ☒ Requirement Statement: Required to comply with federal regulations. ☒ Enforce or Repeal?: Enforce ☒ Agency Justification: Required under 24 CFR Part 92. ☒ Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/109/Rules/875/Final/109.04.13-005F-13864.pdf	11/25/2013	11/25/2013	11/25/2013	
HOME Operations Manual (2018)				ID#: 10695
☒ Statutory Authority: Ark. Code Ann. 15-5-207(b)(24) ☒ Required under State or Federal Law: 24 CFR Part 92 ☒ Requirement Statement: This part implements the HOME Investment Partnerships Act (the HOME Investment Partnerships Program). In general, under the HOME Investment Partnerships Program, HUD allocates funds by formula among eligible State and local governments to strengthen public-private partnerships and to expand the supply of decent, safe, sanitary, and affordable housing, with primary attention to rental housing, for very low-income and low-income families. Generally, HOME funds must be matched by nonfederal resources. State and local governments that become participating jurisdictions may use HOME funds to carry out multi-year housing strategies through acquisition, rehabilitation, and new construction of housing, and tenant-based rental assistance. Participating jurisdictions may provide assistance in a number of eligible forms, including loans, advances, equity investments, interest subsidies and other forms of investment that HUD approves ☐ Enforce or Repeal?: Enforce ☐ Agency Justification: Program is still active. ☐ Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/109/Rules/10695/Final/ADFA HOME Program Operations Manual 2018.pdf	06/12/2018	06/12/2018	06/28/2018	
Market Study Guidelines 109.04.10-007				ID#: 860
☐ Statutory Authority: Ark. Code Ann. § 15-5-207(b)(5) ☐ Required under State or Federal Law: (none) ☐ Requirement Statement: (none) ☐ Enforce or Repeal?: Enforce ☐ Agency Justification: Required pursuant to Internal Revenue Code Section 42 for allocating Low-Income Housing Tax Credits. ☐ Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/109/Rules/860/Final/109.04.10-007F-12141.pdf	10/26/2010	10/26/2010	10/26/2010	
National Housing Trust Fund Operations Manual				ID#: 10694
☐ Statutory Authority: Ark. Code Ann. 15-5-207(b)(24) ☐ Required under State or Federal Law: (none) ☐ Requirement Statement: (none) ☐ Enforce or Repeal?: Enforce ☐ Agency Justification: Program is still active. ☐ Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/109/Rules/10694/Final/2018 ADFA National Housing Trust Fund Operations Manual.pdf	06/12/2018	06/12/2018	06/28/2018	
Neighborhood Stabilization Program (NSP)	109.00.09-001			ID#: 848

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
☒ Required under State or Federal Law: Ark. Code Ann. § 15-5-207(b)(24) Housing and Economic Recovery Act of 2008 (Pub.L. 110-289, 122 Stat. 2654, enacted July 30, 2008) Requirement Statement: Title III of Division B of the Housing and Economic Recovery Act of 2008 enacted laws for the purpose of assisting in the redevelopment of abandoned and foreclosed homes under the Emergency Assistance for Redevelopment of Abandoned and Foreclosed Homes heading, commonly referred to as the Neighborhood Stabilization Program ("NSP"). Enforce or Repeal?: Enforce Agency Justification: Program is still active. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/109/Rules/848/Final/109.00.09-001F-10298.pdf	08/17/2009	08/17/2009	08/17/2009	
Policies Regarding Suspension from Participation in ADFA Housing Programs				
☐ Required under State or Federal Law: Ark. Code Ann. § 15-5-207(b)(5) (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: Necessary for the implementation of housing policy. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/109/Rules/809/Final/109.00.03-002F.pdf	01/21/2004	01/21/2004	01/21/2004	ID#: 809
Private Activity Volume Cap Rules and Regulations				
☐ Required under State or Federal Law: Ark. Code Ann. § 15-5-207(b)(32) (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: Most current version of Private Activity Volume Cap Rules and Regulations. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/109/Rules/800/Final/109.04.03-003F.pdf	04/07/2003	04/07/2003	04/07/2003	ID#: 800
Qualified Allocation Plan and Multifamily Application				
☒ Required under State or Federal Law: Ark. Code Ann. § 15-5-207(b)(24) 26 C.F.R. § 1.42-17 Requirement Statement: Required to comply with federal regulations. Enforce or Repeal?: Enforce Agency Justification: Required for the allocation of Low-Income Housing Tax Credits Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/109/Rules/41/Final/16a_ADFA_Qualified_Allocation_Plan_11172014.pdf	11/17/2014	12/19/2014	11/19/2014	ID#: 41
Qualified Energy Conservation Bonds (QECB) Volume Cap Allocation.				
☐ Required under State or Federal Law: Ark. Code Ann. § 15-5-1804 (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: Program is still active. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/109/Rules/868/Final/109.04.12-001F-12830.pdf	02/02/2012	02/02/2012	02/02/2012	ID#: 868
Tax Credit Assistance Program (TCAP) and Section 1602 Exchange Program				
☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: Program is still active. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/109/Rules/868/Final/109.04.12-001F-12830.pdf	109.00.09-002			ID#: 849

Act 781 of 2017 Rules Report

for Department of Commerce - Arkansas Economic Development Commission

Department of Commerce - Arkansas Economic Development Commission					Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Repeal								
Arkansas Fresh Start COVID-19 Housing Stabilization Program					12/18/2020	12/28/2020	12/18/2020	ID#: 11036
☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Repeal Agency Justification: This is an inactive program. The program was a temporary COVID-19 relief program. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/11036/Final/Fresh_Start_Permanent_Final_Rule_12182020.pdf								
Arkansas Unpaved Roads Grants Program					11/02/2015	02/04/2016	01/25/2016	ID#: 2043
☒ Required under State or Federal Law: Arkansas Code §14-305-110 (Act 898 of 2015); Arkansas Code §15-6-106 (b) Requirement Statement: Arkansas Code §14-305-110 Enforce or Repeal?: Act 898 of 2015 required the Division of Rural Service to promulgate rules to administer the Unpaved Roads Grant Program. Agency Justification: AEDC no longer administers this program. The program has been transferred to the Arkansas Department of Agriculture, Division of Natural Resources. The Department of Agriculture now has authority to promulgate rules for the AR Unpaved Roads Grant Program. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/2043/Final/Arkansas_Unpaved_Roads_Grant_Program.pdf								ID#: 11035
Developmental Disabilities Provider Emergency Loan Program					11/20/2020	11/30/2020	11/20/2020	
☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Repeal Agency Justification: This is not an active program. This was a temporary Covid-19 relief program to assist providers. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/11035/Final/ELP_Final_Permanent_Rule_2020.pdf								ID#: 2057
Partnership for Public Facilities and Infrastructure Act Program Guidelines					08/03/2017	11/03/2017	10/24/2017	
☒ Required under State or Federal Law: §22-10-502 Requirement Statement: Arkansas Code §22-10-502 Act 813 of 2017; Arkansas Code §15-4-209(b)(5) AEDC enabling legislation Enforce or Repeal?: §22-10-502 Agency Justification: Act 813 of 2017 required AEDC to promulgate these program guidelines. Repeal This program has been transferred to the Department of Transformation and Shared Services. Arkansas Economic Development Commission no longer has salutory authority to administer the program or promulgate rules. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/2057/Final/Partnership_for_Public_Facilities_and_Infrastructure_Act_Guidelines.pdf								ID#: 11034
Ready for Business Grant Program								

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: Arkansas Code §15-4-209(a)(1) and §15-4-209(b)(5) ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Repeal Agency Justification: This is not an active program and there are no funds budgeted or appropriated for the continuation of the program. The Ready for Business Grant Program was a one time Coronavirus relief program. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/11034/Final/RRFBG_Program_Rule_FINAL.pdf	04/20/2021	04/30/2021	04/20/2021	
Research and Development Tax Credit Program				
Statutory Authority: Act 759 of 1985; 15-3-108 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Repeal Agency Justification: This code statute was amended in 2019 and a new rule promulgated in 2020 to replace the outdated rule and language for the program. It had not been updated since AEDC began to administer the program. This outdated rule should be repealed. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/2065/Final/Research and Development Tax Credit Program.pdf	12/04/1985	12/04/1985	12/04/1985	04/12/2008
Small Business Loan Program				
Statutory Authority: 15-4-2506 Act 448 of 1999; 15-4-209 (b)(5) enabling legislation ☒ Required under State or Federal Law: Act 448 of 1999 Requirement Statement: Act 448 of 1999 required ADED to promulgate rules Enforce or Repeal?: Repeal Agency Justification: The agency request repeal of the rule as funding for this program was transferred to another program in 2017. There are no outstand projects under this program. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/2031/Final/Small Business Loan Program.pdf	08/15/1999	10/21/1999	10/11/1999	12/22/2005
Spay and Neuter Pet Grant Program				
Statutory Authority: A.C.A. §15-4-209(a)(1) and §15-4-209(b)(5) ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Repeal Agency Justification: AEDC's Division of Rural Services received one time appropriation through Act 494 of 2019 to create and fund a program for spay and neuter grants to organizations that provide these services. All funds have been dispersed and no further appropriation have been awarded. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/11030/Final/SNP_Rules_Final_2021.pdf	05/15/2020	05/25/2020	11/19/2021	11/29/2021
Enforce				
Addendum 2 to Arkansas Rural Connect - ARPA				
				ID#: 11039

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: Arkansas Code §15-4-209(a)(1) and §15-4-209(b)(5) ☒ Required under State or Federal Law: 31 CRF part 35; Notice of Funding Opportunity for Broadband, Equity, Access, and Deployment Program (BEAD) Requirement Statement: Promulgation of this rule was necessary to conform the existing Arkansas Rural Connect Program with changes made through 31 CRF part 35; federal requirements of BEAD funding. Enforce or Repeal?: Enforce Agency Justification: This program is active and ongoing. This rule is necessary for the Broadband Office to continue to administer the Arkansas Rural Connect program in compliance with federal regulations. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/11039/Final/Addendum_2_ARC_ARPA_-_Final_Rule_11822.pdf	11/18/2022	11/28/2022	11/18/2022	
Addendum to Arkansas Rural Connect Coronavirus Rule				
Statutory Authority: Arkansas Code §15-4-209(a)(b) and §15-4-209(b)(5) ☒ Required under State or Federal Law: 31 C.F.R. §35.6(2021) Requirement Statement: The rule is necessary to conform the Arkansas Rural Connect Broadband Grant Program with the Interim Final Rule for Coronavirus State and Local Fiscal Recovery Funds and any rules and guidance issued by the U.S. Department of Treasury. Enforce or Repeal?: Enforce Agency Justification: This is an active program with grant funds being disbursed under these rules. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/11038/Final/Addendum_ARC_Covid19_Final_Rule_MP_Signature_2021.pdf	11/19/2021	11/29/2021	11/19/2021	ID#: 11038
Arkansas BEAD Challenge Process				
Statutory Authority: Ark. Code Ann. Section 15-4-209 ☒ Required under State or Federal Law: Infrastructure Investment and Jobs Act of 2021, Division F, Title 1, Section 60102, Public Law No. 117-58, 135 Stat. 429 (Nov. 15, 2021) Requirement Statement: The purpose of the rule is to implement the federal Broadband Equity, Access, and Deployment (BEAD) program, specifically, the mapping challenge process. The BEAD program allocates grants for the construction or upgrade of broadband networks, and the establishment of reliable, affordable high-speed internet access. This proposed rule details the process for challenging the Arkansas BEAD Funding Map published by the Arkansas State Broadband Office identifying locations that are eligible for BEAD funding. Enforce or Repeal?: Enforce Agency Justification: The funding provided by the BEAD program is still available for use, and as such, the rule implementing the mapping challenge process is necessary at this time. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/11085/Final/BEAD_Challenge_Process_Rule.pdf	04/11/2024	04/21/2024	04/11/2024	ID#: 11085
Arkansas Business and Technology Accelerator Grant Program				
Statutory Authority: Arkansas Code §15-3-608 and Arkansas Code § 15-4-209 (b)(5) ☒ Required under State or Federal Law: Arkansas Code §15-3-608 Requirement Statement: Act 165 of 2017 required AEDC to promulgate rules for the grant program. Enforce or Repeal?: Enforce Agency Justification: This is an active program created by Act 165 of 2017. Rules are necessary to continue to administer the Accelerator Grant Program. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/2051/Final/Arkansas Business and Technology Accelerator Grant Program.pdf	06/09/2017	10/01/2017	08/22/2017	ID#: 2051
Arkansas Public Roads Improvements Credit Act				
Statutory Authority: Act 1347 of 1999; Arkansas Code §15-4-209(b)(5) ☒ Required under State or Federal Law: Arkansas Code §15-4-2307(4) Requirement Statement: AEDC shall promulgate rules necessary to carry out the provisions of the Arkansas Public Roads Improvements Tax Credit Act. Enforce or Repeal?: Enforce Agency Justification: This is an active program created by Act 1347 of 1999 and amended in 2021. Rules were promulgated under the Administrative Procedures Act. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/2020/Final/Arkansas_Public_Roads_Improvements_Credit_Act_Final_Rule_Nov_21.pdf	08/15/1999	10/21/1999	11/19/2021	ID#: 2020

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Arkansas Rural Connect Coronavirus Rule				
Statutory Authority:	Arkansas Code §15-4-209(a)(1) and §15-4-209(b)(5)	09/04/2020	03/23/2021	04/02/2021
☐ Required under State or Federal Law:	(none)			
Requirement Statement:	(none)			
Enforce or Repeal?:	Enforce			
Agency Justification:	This rule applies to an active program of the Arkansas Broadband Office.			
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/11031/Final/Arkansas_Rural_Connect_Coronavirus_Rule_Final_Clean_MP_Signature_032321.pdf			
Arkansas Site Development Grant Program				
Statutory Authority:	Ark. Code Ann. Section 15-4-209.	06/10/2024	05/31/2024	
☐ Required under State or Federal Law:	(none)			
Requirement Statement:	(none)			
Enforce or Repeal?:	Enforce			
Agency Justification:	This rule provides for the creation of a grant program that aims to enhance the state's economic competitiveness by upgrading the existing inventory of high-quality industrial development sites to increase attractiveness to prospective companies. Currently, the Department of Commerce believes that this rule serves as an essential component of Arkansas' incentive structure for attracting job creators to the state.			
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/11084/Final/Site_Development_Grant_Program_Rule_Proposed_Rule_CLEAN_10524.pdf			
Arkansas Small Business Innovation Research Matching Grant Program				
Statutory Authority:	Arkansas Code §15-3-709 Act 166 of 2017; Arkansas Code §15-4-209 (b)(5)	10/01/2017	08/22/2017	
☒ Required under State or Federal Law:	Arkansas Code §15-3-709			
Requirement Statement:	Act 166 of 2017 required AEDC to promulgate rules for the administration of the SBIR grant program.			
Enforce or Repeal?:	Enforce			
Agency Justification:	This is an active program currently administered by the Arkansas Economic Development Commission. Rules are necessary to continue to administer the grant program.			
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/2049/Final/Arkansas_Small_Business_Innovation_Research_Matching_Grant_Program.pdf			
Arkansas Tourism Development Act				
Statutory Authority:	Act 1135 of 1999, 15-4-209(b)(5) enabling legislation	08/15/1999	08/25/2023	09/04/2023
☒ Required under State or Federal Law:	Act 1135 of 1999			
Requirement Statement:	Act 1135 states Director of Arkansas Department of Economic Development (now Arkansas Economic Development Commission) shall establish regulations.			
Enforce or Repeal?:	Enforce			
Agency Justification:	This is an active and ongoing program with the Arkansas Economic Development Commission.			
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/2032/Final/FINAL_Arkansas_Tourism_Development_Act_2023.pdf			
Community Assistance Grant Program				

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: 15-4-209(b)(5) ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: AEDC established this under Arkansas Code 15-4-209(b)(5). The rule is needed to ensure administration of the program on or after July 1, 2018, should funding be provided. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/ARR/Entities/166/Community Assistance Program Rules Final June 15, 2018.pdf	03/29/2018	07/01/2018	06/15/2018	
Consolidated Incentive Act of 2003				
Statutory Authority: Arkansas Code §15-4-2710(1); Act 182 of 2003 ☒ Required under State or Federal Law: Arkansas Code §15-4-2710(1) Requirement Statement: Statute provides that AEDC shall promulgate rules necessary to carry out the provisions of programs in the Consolidated Incentives Act of 2023. Enforce or Repeal?: Enforce Agency Justification: This is an active program created by the Consolidated Incentive Act of 2003. Rules were promulgated under Arkansas Code §15-4-2710(1). Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/2054/Final/Consolidated_Incentives_Act_Rule_Final_2022.pdf	03/28/2003	03/28/2003	04/22/2022	ID#: 2054 05/02/2022
Day Care Facility Tax Incentive Program				
Statutory Authority: 15-4-209(b)(5) enabling legislation ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: This is an active program created in 1993. Rules were promulgated under 15-4-209(b)(5). Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/2009/Final/Day Care Facility Tax Incentive Program.pdf	07/22/1993	08/01/1993	07/22/1993	ID#: 2009 06/29/1995
Digital Product and Motion Picture Industry Development Act				
Statutory Authority: Arkansas Code §15-4-2010 ☒ Required under State or Federal Law: Arkansas Code §15-4-2010 Act 816 of 2009 Requirement Statement: Arkansas Code §15-4-2010 states that AEDC shall promulgate appropriate rules to carry out the intent and purposes of the incentive program and to prevent abuse. Enforce or Repeal?: Enforce Agency Justification: This is an active program currently being administered by the Arkansas Economic Development Commission. The rule is necessary to comply with statute and to efficiently administer the program. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/2034/Final/Final_Rule_Digital_Product_and_Motion_Picture_Industry_Development_Act_2022_0422.pdf	05/15/2009	08/21/2009	04/22/2022	ID#: 2034 05/01/2022
Donations or Sales of Equipment to Educational Institutions Tax Credit Program				
Statutory Authority: Arkansas Code: §26-51-1105 ☒ Required under State or Federal Law: A.C.A. §26-51-1105 Requirement Statement: The Arkansas Economic Development Commission, Secretary of DFA, Commissioner of Division of Higher Education, the Director of Career and Technical Education, and the Secretary of the Department of Education shall jointly promulgate rules to carry out the purposes of the program. Enforce or Repeal?: Enforce Agency Justification: This is an active program and the rules are necessary to continue to administer it. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/11074/Final/Final_Machinery_and_Equipment_Donation_Tax_Credit_Program_Rules.pdf	06/19/2020	06/29/2020	06/19/2020	ID#: 11074
Equity Investment Incentive Act of 2007				
Statutory Authority: Arkansas Code: §26-51-1105 ☒ Required under State or Federal Law: A.C.A. §26-51-1105 Requirement Statement: The Arkansas Economic Development Commission, Secretary of DFA, Commissioner of Division of Higher Education, the Director of Career and Technical Education, and the Secretary of the Department of Education shall jointly promulgate rules to carry out the purposes of the program. Enforce or Repeal?: Enforce Agency Justification: This is an active program and the rules are necessary to continue to administer it. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/11074/Final/Final_Machinery_and_Equipment_Donation_Tax_Credit_Program_Rules.pdf	06/19/2020	06/29/2020	06/19/2020	ID#: 2041

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
☒ Required under State or Federal Law: Requirement Statement: Arkansas Code §15-4-3306, Act 566 of 2007 Act 566 of 2007 Arkansas Code §15-4-3306 requires the Arkansas Economic Development Commission to jointly promulgate rules with the Arkansas Development Finance Authority to implement the Equity Investment Tax Credit Program. Enforce Agency Justification: The Equity Investment Tax Credit Program is an active program administered by the Arkansas Department of Commerce. Rules are necessary to continue to efficiently administer the incentive program. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/2041/Final/Final_Rule_Equity_Investment_Tax_Credit_2020.pdf	07/02/2007	07/02/2007	06/19/2020	06/29/2020
Existing Workforce Training Program (EWTP)				
☒ Required under State or Federal Law: Requirement Statement: Arkansas Code §6-50-704 Act 791 of 1995; §15-4-209 (b)(5) AEDC enabling legislation Arkansas Code §6-50-704 Act 791 of 1995, codified at Arkansas Code §6-50-704, required AIDC, Department of Higher Education and Vocational and Technical Education to promulgate rules. Arkansas Economic Development Commission is the sole agency required and authorized at §6-50-704 to promulgate rules for the program. Enforce or Repeal?: Agency Justification: This program was created by Act 791 of 1995. Rules were promulgated under Arkansas Code §6-50-704 and 15-4-209(b)(5). There is no current AEDC funding for this program, although funding in the future is a possibility. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/2037/Final/Existing_Workforce_Training_Program(EWTP).pdf	07/01/1995	07/01/1995	09/16/2013	10/17/2013
Fish and Wildlife Conservation Education Grant Program				
☒ Required under State or Federal Law: Requirement Statement: 6-16-1101(c)(2)(A) Act 371 of 2015; 15-6-106 (b) enabling legislation Act 371 of 2015 Act 371 of 2015 prescribes that applications must conform to AEDC Division of Rural Services Rules Enforce or Repeal?: Agency Justification: This is an active program authorized by Act 371 of 2015. Rules were promulgated under 6-16-1101(c)(2)(A) and 15-6-106(b). Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/2045/Final/Fish_and_Wildlife_Conservation_Education_Grant_Program.pdf	08/13/2010	10/29/2010	06/05/2017	06/15/2017
Funding Programs of the Division of Science and Technology of the Arkansas Economic Development Commission at 15-3-101 et seq.				
☐ Required under State or Federal Law: Requirement Statement: Arkansas Code §15-3-108(d)(1) (none) (none) Enforce or Repeal?: Agency Justification: These are active programs administered by AEDC under authority of Arkansas Code §15-3-101 et seq. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/10672/Final/Funding_Programs_of_the_Division_of_Science_and_Technology_of_the_AEDC_6-15-2018.pdf	03/29/2018	07/01/2018	06/15/2018	
Industrial Revenue Bond Guaranty Law				

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: 15-4-609; Act 173 of 1967; 15-4-209 (b)(5) enabling legislation ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: This is an active program established by Act 173 of 1967. Rules were promulgated under 15-4-609 and 15-4-209(b)(5). Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/2016/Final/Arkansas Revenue Bond Guaranty Law.pdf	10/07/2001	12/06/2001	12/10/2001	
Military Affairs Grant Program				
Statutory Authority: Arkansas Code § 15-4-209(b)(5) ☒ Required under State or Federal Law: Act 522 of 2021; Arkansas Code § 15-4-3910 Requirement Statement: Arkansas Code § 15-4-3910 gives the Arkansas Economic Development Commission's Military Affairs Division the authority to adopt rules to implement and administer the grants provided under the Military Affairs Grant Program. Enforce or Repeal?: Enforce Agency Justification: This is an active program that the Arkansas Economic Development Commission administers. Rules are necessary to continue to accept applications and disburse funds through the grant program to eligible applicants. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/2046/Final/Final_Rule_-_Military_Affairs_Program_Rule_2021.pdf	04/28/2017	09/01/2017	11/19/2021	ID#: 2046 11/29/2021
Minority Business Enterprise and Women-Owned Business Enterprise Certification Program				
Statutory Authority: 15-4-314(a) / Act 1456 of 2003; 15-4-209(b)(5) ☒ Required under State or Federal Law: 15-4-314(a) Requirement Statement: Act 1456 of 2003 required AEDC to promulgate rules Enforce or Repeal?: Enforce Agency Justification: This is an active program established by 15-4-314(a) with current rules promulgated under authority at 15-4-209(b)(5). Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/2047/Final/Minority Business Enterprise and Women-Owned Business Enterprise Certification Program.pdf	07/01/2007	09/10/2007	08/31/2007	ID#: 2047 09/01/2017
Minority Business Enterprise and Women-Owned Business Enterprise Loan Mobilization Program				
Statutory Authority: 15-4-306 and 19-5-1240 Creation of Minority Business Loan Mobilization Program ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: This is an active program created under authority of 15-4-306 and currently funded under 19-5-1240. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/2044/Final/Minority Business Loan Mobilization Program.pdf	02/17/2016	05/28/2016	05/18/2016	ID#: 2044 05/01/2018
New Markets Jobs Act of 2013				
Statutory Authority: 15-4-3614 Act 1474 of 2013; 15-4-209 (b)(5) enabling legislation ☒ Required under State or Federal Law: Act 1474 of 2013, codified at Arkansas Code § 15-4-3614. Requirement Statement: Act 1474 of 2013, codified at Arkansas Code § 15-4-3614, required AEDC to promulgate rules. Enforce or Repeal?: Enforce Agency Justification: Arkansas Code requires that AEDC promulgate administrative rules to implement the program at § 15-4-3614 and 15-4-209(b)(5). Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/2033/Final/New Markets Jobs Act of 2013.pdf	07/03/2013	07/03/2013	09/26/2013	ID#: 2033
Railroad Modernization Act of 2021				
				ID#: 11033

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: Arkansas Code §15-4-209(b)(5) ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: This rule is an active part of the Arkansas Rural Connect Broadband Program and is necessary to continue to enforce as grantees complete projects. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/166/Rules/11032/Final/AEDC_Supplemental_Arkansas_Rural_Connect_Coronavirus_Rule_(MP_Signature).pdf	12/28/2020	01/07/2021	12/28/2020	

Act 781 of 2017 Rules Report

for Department of Commerce - State Bank Department

Department of Commerce - State Bank Department					Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Enforce								ID#: 1033
46-101.2 Fees for Copies Provided Pursuant to Request					05/20/1997	06/19/1997	06/09/1997	
☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). Ark. Code Ann. § 25-19-105(d)(3)(A) provides that a state agency may charge a fee for copying requested public records under the Arkansas Freedom of Information Act. Ark. Code Ann. § 23-46-101(c) specifically grants the Bank Commissioner the power to promulgate regulations with regard to the disclosure of confidential information. This rule establishes the fee schedule for requested documents and should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1033/Final/Rule 46-101.2.pdf								
46-101.3 Confidential or Non-Confidential Status of Bank Department Records					05/20/1997	06/19/1997	06/09/1997	ID#: 1036
☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). Ark. Code Ann. § 23-46-101(c) specifically grants the Bank Commissioner the power to promulgate regulations with regard to the disclosure of confidential information. This regulation clarifies which agency documents are confidential or non-confidential under A.C.A. § 23-46-101 and protects state banks' sensitive, proprietary information. Federal law provides similar protections for confidential bank information held by federal agencies, and this regulation ensures such information is protected at the state level as well. For these reasons, this rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1036/Final/Rule 46-101.3.pdf								
46-101.3.g Corporate File					05/20/1997	06/19/1997	06/09/1997	ID#: 1097
☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule was amended by the Bank Department in 2017. This rule clarifies internal agency procedures by establishing what documents should be included in a bank's corporate file. For this reason, the rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1097/Final/Rule 46-101.3.pdf								
46-203 Certified Copies and Certificates of Good Standing Fees								ID#: 1042

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). As the chartering authority for Arkansas state chartered banks, we are responsible for issuing a Certificates of Good Standing upon request. This rule establishes the fee schedule for certified copies and Certificates of Good Standing and should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1042/Final/Rule 46-203.pdf	05/20/1997	06/19/1997	06/09/1997	
46-207.1 Interest in State Banks; Participation In				ID#: 1046
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). Ark. Code Ann. § 23-46-207(b)(1) prohibits person covered by the statute to receive credit from a state chartered financial institution but permits a person subject to the statute to be a depositor and to participate in overdraft programs offered to depositors at a state chartered financial institution if permitted by the Bank Commissioner by rule. This rule clarifies that a person subject to Ark. Code Ann. § 23-46-207 may be a depositor in any state chartered bank and participate in overdraft programs so long as the programs are regularly offered as a customer service of the institution. For this reason, the rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1046/Final/Rule 46-207.1.pdf	05/20/1997	06/19/1997	06/09/1997	
46-304.1 Applications				ID#: 1048
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies what information the agency may request on its application forms. Application requirements must be identified for the public, and this rule should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1048/Final/Rule 46-304.1.pdf	05/20/1997	06/19/1997	06/09/1997	
46-305.1 Application/Documents				ID#: 1052
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule permits applications to be submitted in electronic formats, which makes the application process more efficient and less expensive for applicants. For these reasons, this rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1052/Final/Rule 46-305.1.pdf	05/20/1997	06/19/1997	06/09/1997	09/19/2005
46-402.1 Meetings of the Board; Regular Meeting Dates				ID#: 1054

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule establishes the date and time when regular State Banking Board meetings are held. Banking Board meetings are public and this rule provides clear guidance to the public on when meetings will be held. For this reason, this rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1054/Final/Rule_46-402.1_Final.pdf	05/20/1997	06/19/1997	06/09/1997	10/29/2019
46-403.1 Publication Requirements. Applications Before the State Banking Board				
Statutory Authority: A.C.A. 23-46-205 ☒ Required under State or Federal Law: A.C.A. §23-46-403 Requirement Statement: Please see the justification paragraph below. Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule was amended by the Bank Department in 2017. A.C.A. §23-46-403 provides that applications submitted under the statute “shall give notice of filing in accordance with State Bank Department rules.” This rule establishes the notice requirements for applications submitted under A.C.A. § 23-46-403 as is required by the statute. For this reason, the rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1060/Final/Rule_46-403.1.pdf	06/24/1999	07/16/1999	07/06/1999	05/22/2017
46-404.1 Application Filing Fees. Applications to be Presented to the State Banking Board				
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). A.C.A. § 23-46-404 states the State Banking Board shall have the power to set fees to defray the costs associated with processing and investigating applications. This rule establishes the fee schedule for such applications in accordance with the statute, and this rule should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1079/Final/Rule_46-404.1.pdf	05/20/1997	06/19/1997	06/09/1997	03/22/2007
46-404.2 Application Filing Fees. Applications which are not filed before the State Banking Board				
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). A.C.A. § 23-46-404 states the State Banking Board shall have the power to set fees to defray the costs associated with processing and investigating applications. This rule establishes the fee schedule for such applications in accordance with the statute, and this rule should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1080/Final/Rule_46-404.2.pdf	05/20/1997	06/19/1997	06/09/1997	03/22/2007
46-406.1 Hearings. Filing Fees for Written/Official Protests				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1081/Final/Rule_46-406.1.pdf				ID#: 1081

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
☒ Required under State or Federal Law: A.C.A. § 23-46-407 Requirement Statement: Please see the justification statement below. Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). A.C.A. § 23-46-407 requires the State Bank Department to set a fee between \$2,000.00 and \$5,000.00 for the filing an application protest under the statute. This rule sets the fee amount as required by statute and should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1081/Final/Rule 46-406.1.pdf	05/20/1997	06/19/1997	06/09/1997	03/22/2007
46-406.2 Adjudicative Hearings Before the State Banking Board and/or Commissioner				
☐ Required under State or Federal Law: A.C. A. 23-46-205 Requirement Statement: (none) Enforce or Repeal?: (none) Agency Justification: Enforce The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule establishes internal agency procedures for conducting adjudicative hearings and is in current use by the State Bank Department. This rule should be enforced for these reasons. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1082/Final/Rule 46-406.2.pdf	05/20/1997	06/19/1997	06/09/1997	03/22/1997
46-407.1 Rehearing Modifications				
☐ Required under State or Federal Law: A.C.A. 23-46-205 Requirement Statement: (none) Enforce or Repeal?: (none) Agency Justification: Enforce The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies that until a final written decision is served to the parties of a hearing the Bank Commissioner or State Bank Board may reverse, modify, or rehear a decision formerly reached. The rule should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1083/Final/Rule 46-407.1.pdf	05/20/1997	06/19/1997	06/09/1997	
46-509.1 Assessment Fees				
☐ Required under State or Federal Law: A.C.A. 23-46-205 Requirement Statement: (none) Enforce or Repeal?: (none) Agency Justification: Enforce The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule requires assessment fees payable to the State Bank Department under Ark. Code Ann. § 23-46-509 be sent by automated processing (i.e. electronically). Use of the automated process is more efficient and reduces risk for the assessed entities and the State Bank Department. This rule should be enforced for these reasons. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1085/Final/Rule 46-509.1.pdf	07/19/2001	09/07/2001	08/28/2001	
46-511.1 Bank Retention of Records				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1086/Final/Rule 46-509.1.pdf				

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: A.C.A. 23-46-205 ☒ Required under State or Federal Law: Ark. Code Ann. § 23-46-511(d) Requirement Statement: Please see the justification statement below. Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). Ark. Code Ann. § 23-46-511(d) requires the Bank Commissioner to establish by rule the period and type of records retained by state banks or subsidiary trust companies in addition to those required by statute. The record retention schedule established by this rule gives state banks and our examiners guidance on what documents shall be kept and for how long. This rule is required by statute and should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1086/Final/Rule 46-511.1.pdf	10/16/1997	11/20/1997	11/10/1997	ID#: 1088
47-101.1 Warehousing Mortgages and Other Loans				
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies that mortgages or other loans will not count towards the state bank's legal lending limit if the state bank is acting as an agent in warehousing mortgages and gives state banks greater freedom in conducting this type of business. There is no statutory guidance regarding this issue, and for this reason, this rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1088/Final/Rule 47-101.1.pdf	05/20/1997	06/19/1997	06/09/1997	ID#: 1089
47-101.2 Incidental Powers				
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies that the Bank Commissioner and State Banking Board reference the Comptroller of the Currency's interpretation of the National Bank Act in their assessment of what constitutes "powers incidental to the business of banking" under Ark. Code Ann. § 23-47-101(b). However, the rule further clarifies that state banks shall not be permitted to exercise powers not authorized in Arkansas Code. This rule permits state banks to engage in activities similar to nationally chartered banks and ensures that national banks do not have a competitive advantage over state banks in Arkansas. This rule should be enforced for these reasons. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1089/Final/Rule 47-101.2.pdf	05/20/1997	06/19/1997	06/09/1997	ID#: 1091
47-101.2.a Gift Card Disclosures				

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
☒ Required under State or Federal Law: Fair Gift Card Act (Act 304 of 2007, codified at Ark. Code Ann. § 4-88-701, et seq.) Requirement Statement: Please see the justification statement below. Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). Additionally, the Fair Gift Card Act (Act 304 of 2007, codified at Ark. Code Ann. § 4-88-701, et seq.), gave the State Bank Department regulatory authority over the sale of gift cards by state chartered banks, and the Fair Gift Card Act states the State Bank Department “shall promulgate rules” pertaining to the sale of such gift cards. See Ark. Code Ann. § 4-88-706. This rule was adopted to meet this mandate, and since the Fair Gift Card Act is still in force, the rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1091/Final/Rule 47-101.2(a).pdf	05/20/1997	06/19/1997	06/09/1997	07/20/2007
47-101.3 Wild Card Statute	ID#: 1093			
☐ Required under State or Federal Law: A.C.A. 23-46-205 Requirement Statement: (none) Enforce or Repeal?: (none) Agency Justification: Enforce The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). Ark. Code Ann. § 23-47-101(c) authorizes the Bank Commissioner to permit state banks to engage in the same activities as national banks. This rule clarifies that such authority may only be granted by a written order from the Bank Commissioner. This rule should be enforced since it provides the specific requirements and procedures by which the Bank Commissioner may invoke the Wild Card Statute. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1093/Final/Rule 47-101.3.pdf	05/20/1997	06/19/1997	06/09/1997	ID#: 1094
47-101.4 Disposition of Income from the Sale of Credit Life Insurance or Debt Cancellation Contracts	ID#: 1094			
☐ Required under State or Federal Law: A.C.A. 23-46-205 Requirement Statement: (none) Enforce or Repeal?: (none) Agency Justification: Enforce The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule is required in order to provide details on the limitations for the disposition of income from the sale of credit life insurance or debt cancellation contracts, and for this reason, should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1094/Final/Rule 47-101.4.pdf	05/20/1997	06/19/1997	06/09/1997	ID#: 1098
47-101.5 Guaranties	ID#: 1098			
☐ Required under State or Federal Law: A.C.A. 23-46-205 Requirement Statement: (none) Enforce or Repeal?: (none) Agency Justification: Enforce The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule is required in order to detail the circumstances under which a bank may serve as a guarantor and should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1098/Final/Rule 47-101.5.pdf	05/20/1997	06/19/1997	06/09/1997	ID#: 1099
47-101.6 Computer Services by Bank or Operating Subsidiary	ID#: 1099			

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule permits state banks to use computer services in the same manner as national banks. This makes our state banks more efficient and keeps them competitive with national banks. For these reasons, this rule should be enforced. http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1099/Final/Rule 47-101.6.pdf Link to Rule Document:	05/20/1997	06/19/1997	06/09/1997	
47-101.7 Messenger Service				ID#: 1101
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule was amended by the Bank Department in 2017 to update the rule to reflect current business practices. The rule permits messenger services to pick up deposits from bank customers and electronically deposit the funds with the bank instead of making a physical delivery to the bank. This rule permits state banks to operate more efficiently and should be enforced for this reason. http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1101/Final/Rule 47-101.7.pdf Link to Rule Document:	05/20/1997	06/19/1997	06/09/1997	05/22/2017
47-101.8 Power to Borrow				ID#: 1102
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies that with the exception of issuing capital notes, borrowing by state banks does not require the Bank Commissioner's prior approval and should be enforced for this reason. http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1102/Final/Rule 47-101.8.pdf Link to Rule Document:	05/20/1997	06/19/1997	06/09/1997	
47-204.1 Identification Requirements for the Transfer or Closure of Pay on Death Deposit Accounts				ID#: 1108
Statutory Authority: A.C.A. 23-46-205 ☒ Required under State or Federal Law: Ark. Code Ann. §23-47-204(e)(4) Requirement Statement: Please see justification statement below. Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). Ark. Code Ann. §23-47-204(e)(4) states that the State Bank Department shall promulgate rules establishing the procedures a state bank must take before transferring ownership, closing, and distributing proceeds from a deposit account. This rule establishes these procedures, and since Ark. Code Ann. § 23-47-204(e)(4) is still a current law, this rule should be enforced. http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1108/Final/Rule 47-204.1.pdf Link to Rule Document:	08/04/2015	11/02/2015	09/29/2015	
47-401.1 Investment, Corporate Debt Obligations				ID#: 1110

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies what debt securities a bank may hold and the limited circumstances in which a bank may hold stock. This rule provides needed guidance to state chartered banks and promotes safe and sound banking practices. For these reasons, this rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1110/Final/Rule 47-401.1.pdf	05/20/1997	06/19/1997	06/09/1997	09/03/1999
47-401.2 Investment, Consumer Paper				
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies state banks' loan limit for consumer paper. This limit helps ensure safe and sound banking practices and should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1114/Final/Rule 47-401.2.pdf	05/20/1997	06/19/1997	06/09/1997	09/19/2005
47-401.3 Revenue Obligations				
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies the limits on how many revenue bonds a state bank may hold. This promotes the safety and soundness of state banks by limiting the amount of bonds being held to 20% of the bank's capital. For this reason, this rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1115/Final/Rule 47-401.3.pdf	05/20/1997	06/19/1997	06/09/1997	
47-401.4 Trading Accounts				
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule establishes procedures for state banks to follow if they decide to establish a trading account. This rule promotes safe and sound banking practices and helps to mitigate risk for banks wishing to engage in this high risk business activity. For these reasons, the rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1203/Final/Rule 47-401.4 - Final.pdf	05/20/1997	06/19/1997	06/09/1997	10/26/2019
47-501.2 Combining Loans to Parent Corporations and Subsidiary, and Loans to Separate Subsidiaries				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1203/Final/Rule 47-401.4 - Final.pdf				

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies how loan limits should be calculated in regard to loans made to a parent corporation and its subsidiary. This rule promotes safe and sound banking practices and helps to mitigate risk for banks. For these reasons, the rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1120/Final/Rule 47-501.2.pdf	05/20/1997	06/19/1997	06/09/1997	
47-501.3 Total Indebtedness				ID#: 1121
Statutory Authority: A.C.A. 23-46-205 ☒ Required under State or Federal Law: Section 611 of the Dodd-Frank Wall Street Reform and Consumer Protection Act Requirement Statement: Federal Mandate Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule was adopted to permit state chartered banks to engage in derivative transactions under 12 U.S.C. 84(b)(3) in accordance with Section 611 of the Dodd-Frank Wall Street Reform and Consumer Protection Act. Since Section 611 of the Dodd-Frank Wall Street Reform and Consumer Protection Act is still current law, this rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1121/Final/Rule 47-501.3.pdf	10/11/2012	01/01/2013	11/08/2012	
47-502.1 Drafts or Bills of Exchange				ID#: 1123
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies how the statutory exemption for drafts and bills of exchange from loan limits is applied under Ark. Code Ann. 23-47-502. For this reason, the statute should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1123/Final/Rule 47-502.1.pdf	05/20/1997	06/19/1997	06/09/1997	
47-502.2 Obligations Drawn Against Existing Values				ID#: 1124
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies how the statutory exemption for obligations drawn against existing values is applied under Ark. Code Ann. §23-47-502. For this reason, the statute should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1124/Final/Rule 47-502.2.pdf	05/20/1997	06/19/1997	06/09/1997	
47-502.3 Obligations Secured by Certain Transferable Documents of Title				ID#: 1126

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies how the application of the 115% collateral margin applies to livestock and commodities, and for this reason, this rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1126/Final/Rule 47-502.3.pdf	05/20/1997	06/19/1997	06/09/1997	
47-502.4 Obligations Guaranteed by Farm Service Agency				ID#: 1142
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies that obligations guaranteed by the Farm Service Agency or the United States Department of Agriculture are free from loan limitations, and this rule should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1142/Final/Rule 47-502.4.pdf	05/20/1997	06/19/1997	06/09/1997	
47-502.5 Loans Secured by Certificate of Deposit				ID#: 1143
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies that a loan secured by a commercial bank certificate of deposit is not subject to a bank's legal loan limit, and this rule should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1143/Final/Rule 47-502.5.pdf	05/20/1997	06/19/1997	06/09/1997	
47-502.6 Loan Commitments and Standby Letters of Credit				ID#: 1144
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies that letters of credit are subject to a bank's legal loan limit effective on the date the letter of credit is issued regardless of whether it has been funded or not. This rule addresses a critical component for the analysis of a loan portfolio and provides for safe and sound banking practices. For these reasons, this rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1144/Final/Rule 47-502.6.pdf	05/20/1997	06/19/1997	06/09/1997	
47-603.1 Bank Service Companies				ID#: 1116

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies the creation, use, and ownership of bank service companies under Ark. Code Ann. § 23-47-603 and should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1116/Final/Rule 47-603.1.pdf	05/20/1997	06/19/1997	06/09/1997	
47-603.2 Limitation of Investment				ID#: 1117
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies that the aggregate of loans to and investment in a bank service company cannot exceed twenty percent of a state bank's capital. This rule promotes safe and sound banking practices and for this reason, the rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1117/Final/Rule 47-603.2.pdf	05/20/1997	06/19/1997	06/09/1997	
47-701.1 Activities not Requiring Trust Powers				ID#: 1146
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies which banking activities do not require trust powers under Ark. Code Ann. § 23-47-701 and should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1146/Final/Rule 47-701.1.pdf	05/20/1997	06/19/1997	06/09/1997	03/22/2007
47-701.2 Federal Deposit Insurance Corporation and Federal Reserve Approval				ID#: 1147
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies that a bank must seek approval from their federal regulator before adopting trust powers. This rule promotes safe and sound banking practices and for this reason, the rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1147/Final/Rule 47-701.2.pdf	05/20/1997	06/19/1997	06/09/1997	03/22/2007
47-701.3 Title to Trust Securities in Name of Nominee				ID#: 1148

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule establishes the procedures for a bank to place title to trust securities in the name of a nominee, and this rule should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1148/Final/Rule 47-701.3.pdf	05/20/1997	06/19/1997	06/09/1997	03/22/2007
ID#: 1149				
47-701.4 Common Trust Fund Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule establishes the specific procedures for establishing a common trust fund and should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1149/Final/Rule 47-701.4.pdf	05/20/1997	06/19/1997	06/09/1997	03/22/2007
ID#: 1151				
47-701.5 Individual Retirement Account Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule offers guidance on how banks with and without trust powers may accept deposits into individual retirement accounts and directs banks to federal law and regulations for further guidance regarding the administration of such accounts. This rule should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1151/Final/Rule 47-701.5.pdf	05/20/1997	06/19/1997	06/09/1997	03/22/2007
ID#: 1153				
47-701.6 Keogh Plan Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule provides that bank activities under a Keogh Plan are governed by 26 USC 404(e). This rule harmonizes state and federal banking practices and should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1153/Final/Rule 47-701.6.pdf	05/20/1997	06/19/1997	06/09/1997	03/22/2007
ID#: 1157				
47-701.7 Bank as Trustee; Voting of Own Shares				

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule adopts 12 U.S.C. 61 of the National Banking Act in regard to a trustee voting the shares of the bank in the election of the bank's directors and should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1157/Final/Rule 47-701.7.pdf	05/20/1997	06/19/1997	06/09/1997	03/22/2007
47-701.8 Trust Policies				
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule requires all state banks exercising trust powers to adopt a trust policy setting the trust department's investment practices, voting practices, and administrative policies. This rule promotes safe and sound banking practices and should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1158/Final/Rule 47-701.8.pdf	05/20/1997	06/19/1997	06/09/1997	03/22/2007
47-701.9 Fudiciary Powers of State Banks				
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies what the fiduciary powers of state banks are and establishes procedures for the administration of fiduciary accounts. This rule most amended in 2019 to update the section regarding collective investment funds. On the whole, this rule provides necessary guidance for state banks and promotes safe and sound banking practices. For these reasons, the rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1159/Final/Rule 47-701.9 - Final.pdf	05/20/1997	06/19/1997	06/09/1997	10/26/2019
47-705.1 Trust Deposits Awaiting Investment or Distribution				
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule establishes the procedure using trust deposits awaiting investment or distribution under Ark. Code Ann. §23-17-705 and should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1154/Final/Rule 47-705.1.pdf	05/20/1997	06/19/1997	06/09/1997	03/22/2007
48-103.1 Legal Holidays; Applicable Law				

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). Banks and trust companies are required to be open at least four business days a week under Ark. Code Ann. § 23-48-103. However, a bank may be closed additional days if they are a designated state or federal holiday. Id. This regulation clarifies that legal holidays for state chartered banks are those established under Ark. Code Ann. § 1-5-101 and those established by the Board of Governors of the Federal Reserve System. For these reasons, the rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1041/Final/Rule 48-103.1.pdf	05/20/1997	06/19/1997	06/09/1997	
48-202 Penalty-Failure to Maintain Reserve				ID#: 1181
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule establishes an eight percent per annum penalty for banks who fail to maintain adequate reserves under Ark. Code Ann. §23-48-202. This rule promotes the safety and soundness of state banks, and for this reason, this rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1181/Final/Rule 48-202.pdf	05/20/1997	06/19/1997	06/09/1997	
48-203.1 Dividends				ID#: 1165
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule requires that a state bank paying dividends under Ark. Code Ann. § 23-48-203 to obtain prior approval from the Bank Commissioner if the dividend payment shall amount to seventy-five percent or more of the net profits of the bank. This rule promotes the safety and soundness of state banks, and for this reason, this rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1165/Final/Rule 48-203.1.pdf	05/20/1997	06/19/1997	06/09/1997	
48-203.2 Prior Approval				ID#: 1529
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule requires a state bank to receive prior approval for the payment of dividends under Ark. Code Ann. § 23-48-202 under certain circumstances. This rule promotes the safety and soundness of state banks, and for this reason, this rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1529/Final/Rule 48-203.1.pdf	05/20/1997	06/19/1997	06/09/1997	

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
48-307.1 Charter Amendment Application for Change of Bank Corporate Name				ID#: 1103
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule establishes the procedures and notice requirements for submitting a charter amendment for changing the corporate name of a state bank, and for this reason, this rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1103/Final/Rule 48-307.1.pdf	10/04/2001	11/15/2001	11/05/2001	08/27/2009
48-309.1 Reversation of Bank Corporate Name				ID#: 1105
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule establishes the procedures for reserving a name for a state bank, and for this reason, this rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1105/Final/Rule 48-309.1.pdf	10/04/2001	11/15/2001	11/05/2001	08/27/2009
48-309.2 Bank Fictitious Names				ID#: 1182
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule establishes the procedures for adopting a fictitious name under Ark. Code Ann. § 23-48-309 and should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1182/Final/Rule 48-309.2.pdf	10/04/2001	11/15/2001	11/05/2001	08/27/2009
48-310.1 Appeal of Commissioner Decision on Minimum Capital Requirements to State Banking Board				ID#: 1087
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule establishes the procedures for appealing the Bank Commissioner's decision regarding a bank's minimum capital requirements under Ark. Code Ann. §23-48-310 to the State Banking Board. This rule provides banks with a clearly delineated appeals process that is not provided by statute. For this reason, the rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1087/Final/Rule 48-310.1.pdf	05/20/1997	06/19/1997	06/09/1997	
48-311.1 Payment for Stock				ID#: 1166

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies that a bank may not issue stock against a purchaser's promissory note under Ark. Code Ann. § 23-48-311 because it is not permitted under Section 8, Article 12 of the Arkansas Constitution as held by the Arkansas Supreme Court in several cases. The rule should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1166/Final/Rule 48-311.1.pdf	05/20/1997	06/19/1997	06/09/1997	
48-311.2 Discriminatory Sale of Stock				ID#: 1167
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies that when new shares of a bank are sold free of preemptive rights that the bank directors have a fiduciary duty to fix a reasonable price for the shares sold. This rule prevents the dilution of existing shareholders' shares and helps protect shareholder rights. For these reasons, this rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1167/Final/Rule 48-311.2.pdf	05/20/1997	06/19/1997	06/09/1997	
48-313.2 Fractional Shares; Scrip				ID#: 1169
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies when and how fractional shares or scrips may be issued by a state bank and should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1169/Final/Rule 48-313.2.pdf	05/20/1997	06/19/1997	06/09/1997	
48-314.1 Preemptive Rights				ID#: 1170
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies the preemptive rights of shareholders of banks chartered prior to May 30, 1997, and banks chartered after May 30, 1997. There are significant numbers of state banks that were chartered before and after May 30, 1997, and therefore, providing this clarification is still necessary. For this reason, this rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1170/Final/Rule 48-314.1.pdf	05/20/1997	06/19/1997	06/09/1997	
48-314.2 Waiver of Preemptive Rights				ID#: 1171

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies the means by which a shareholder may waive his or her preemptive rights under Ark. Code Ann. § 23-48-314 and should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1171/Final/Rule 48-314.2.pdf	05/20/1997	06/19/1997	06/09/1997	
48-315.1 Capital Notes				ID#: 1106
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies how state banks may issue capital notes under Ark. Code Ann. § 23-48-315 and should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1106/Final/Rule 48-315.1.pdf	05/20/1997	06/19/1997	06/09/1997	
48-315.2 Federal Regulations				ID#: 1107
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule adopts Federal Reserve and FDIC regulations regarding the average weighted maturity of capital notes. This rule harmonizes state and federal banking practices and should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1107/Final/Rule 48-315.2.pdf	05/20/1997	06/19/1997	06/09/1997	
48-316.1 Stock Issuance to be Reported				ID#: 1172
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies that initial issuance of shares issued by a state bank or bank holding company must be reported in each instance and when it is issued. For these reasons, the rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1172/Final/Rule 48-316.1.pdf	05/20/1997	06/19/1997	06/09/1997	
48-316.3 Information Required on Reported Transfers				ID#: 1174

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies what information must be provided to the Bank Commissioner when a transfer of stock occurs under Ark. Code Ann. § 23-48-316 and should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1174/Final/Rule 48-316.3.pdf	05/20/1997	06/19/1997	06/09/1997	
48-317.1 Transfers Affecting Change in Control				ID#: 1161
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies what qualifies as a change of control under Ark. Code Ann. § 23-48-317. It also establishes change of control application procedures and sets the application fee. Changes of control are common and this rule is used on a regular basis. For these reasons, this rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1161/Final/Rule 48-317.1.pdf	05/20/1997	06/19/1997	06/09/1997	08/27/2009
48-318.1 Notice of Meeting				ID#: 1176
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies how notice of special meeting must be given to shareholders. This rule helps protect shareholders' rights and should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1176/Final/Rule 48-318.1.pdf	05/20/1997	06/19/1997	06/09/1997	
48-320.2 Cumulative Voting				ID#: 1177
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies when cumulative voting may be used by state banks and should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1177/Final/Rule 48-320.2.pdf	05/20/1997	06/19/1997	06/09/1997	
48-322.1 Board of Directors				ID#: 1178

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies that board members shall be selected in the manner provided by a bank's articles of incorporation or bylaws. For this reason, this rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1178/Final/Rule 48-322.1.pdf	05/20/1997	06/19/1997	06/09/1997	
48-322.2 Officer or Director Removal				ID#: 1179
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This statute clarifies how bank officers or directors may be removed if they are violating state or federal law or a threatening the safety and soundness of the bank. This rule promotes the safe and sound operation of state chartered banks and should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1179/Final/Rule 48-322.2 - Final.pdf	05/20/1997	06/19/1997	06/09/1997	10/26/2019
48-322.3 Directors' Meetings				ID#: 1180
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies the use of proxy votes during directors meetings and should be enforced for this reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1180/Final/Rule 48-322.3.pdf	05/20/1997	06/19/1997	06/09/1997	
48-601.1 Authority to Adopt Plan of Exchange-Notice-Court Reporter				ID#: 1192
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule provides the procedures for providing notice to the public and shareholders when a bank wishes to adopt a plan of exchange under Ark. Code Ann. § 23-48-601, et seq. The rule also requires that a court reporter be present for the Bank Commissioner's fairness hearing as part of the adoption of the plan of exchange. Plans of exchange are still utilized by state banks and the rule clarifies the procedures to be used. For these reasons, the rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1192/Final/Rule 48-601.1.pdf	05/20/1997	06/19/1997	06/09/1997	
48-701 Healthy Bank				ID#: 1183

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). Ark. Code Ann. § 23-48-701 states that "Healthy Bank" means a state bank whose financial condition satisfies the criteria established by Bank Department rule. This rule defines the term "Healthy Bank" for use under Ark. Code Ann. § 23-48-701, et seq. This defined term is necessary for reviewing and approving branch applications. For these reasons, this rule should be enforced. http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1183/Final/Rule-48-701.pdf Link to Rule Document:	05/20/1997	06/19/1997	06/09/1997	03/22/2007
ID#: 1185				
48-702.1 Relocation of Existing Full Service Branch Statutory Authority: A.C.A. 23-46-205 ☒ Required under State or Federal Law: A.C.A. § 23-48-702 (d)(2). Requirement Statement: A.C.A. § 23-48-702 (d)(2) requires the State Bank Department to establish a "fee not less than three hundred dollars (\$300) nor more than five hundred dollars (\$500)" by rule. Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule establishes the procedure and fee for relocating a full service bank branch and should be enforced for this reason. http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1185/Final/Rule-48-702.1-Final.pdf Link to Rule Document:	06/24/1999	07/16/1999	07/06/1999	10/26/2019
ID#: 1186				
48-702.2 Short Distance Relocation Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies the procedure for the short distance relocation of a full service bank under Ark. Code Ann. § 23-48-702. For this reason, this rule should be enforced. http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1186/Final/Rule-48-702.2-Final.pdf Link to Rule Document:	06/24/1999	07/16/1999	07/06/1999	10/26/2019
ID#: 1187				
48-702.3 Limited Purpose Offices Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule clarifies the procedure for establishing a limited purpose office under Ark. Code Ann. § 23-48-702 and should be enforced for this reason. http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1187/Final/Rule-48-702.3.pdf Link to Rule Document:	05/20/1997	06/19/1997	06/09/1997	03/22/2007
ID#: 1188				
48-703.1 Expedited, Standard, and Mobile Branch Application Procedures				

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule establishes the procedures on filing expedited, standard, and mobile branch applications under Ark. Code Ann. § 23-48-703. It also establishes the fees for filing such applications. These applications are frequently used by state banks and this rule offers them a relatively quick and efficient means to file these applications. This rule should be enforced for these reasons. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1188/Final/Rule_48-703.1_-_Final.pdf	05/20/1997	06/19/1997	06/09/1997	10/29/2019
48-703.2 Mobile Branch	ID#: 1190			
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule establishes the requirements for operating a mobile bank branch under Ark. Code Ann. §§ 23-48-701, 23-48-703 (Act 42 of 2007 – To Revise the Arkansas Banking Code; To Provide Parity Between the State and National Bank Application Process; and to Reduce Application Fees). Many rural areas of Arkansas are still served by mobile bank branches, and as such, this rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1190/Final/Rule 48-703.2.pdf	05/20/1997	06/19/1997	06/09/1997	03/22/2007
48-703.3 Protest	ID#: 1191			
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule establishes the procedure for protesting an application for the establishment of a full-service branch under Ark. Code Ann. § 23-48-703. The rule establishes a fair and orderly procedure for handling protests, provides for public notice, and protects individuals' and corporations' right to protest. For these reasons, the rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1191/Final/Rule 48-703.3.pdf	05/20/1997	06/19/1997	06/09/1997	03/22/2007
49-118.1 Execution and Filing Articles with Department. Certificate of Dissolution - Fees	ID#: 1193			
Statutory Authority: A.C.A. 23-46-205 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to issue rules under Ark. Code Ann. § 23-46-205(b)(1). This rule establishes the filing fees for the dissolution and liquidation of an Arkansas state chartered bank. It also provides that evidence that all deposits and trust accounts have been sold, surrendered, transferred, or terminated prior the surrender of the bank's charter. The rule should be enforced for these reasons. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/1193/Final/Rule 49-118.1.pdf	05/20/1997	06/19/1997	06/09/1997	

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: 15-4-1226 (a)(2)(A) ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to supervise and issue rules for Industrial Development Companies under Ark. Code Ann. § 15-4-1226. The rule gives guidance on how industrial development corporation assets should be utilized in accordance with statute. For this reason, this rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/11020/Final/Purpose_of_Each_Industrial_Development_Corporation.pdf	10/29/2001	12/10/2001	09/19/2005	
Trust Institution 1.1 – Fees	ID#: 11025			
Statutory Authority: 23-51-103 ☒ Required under State or Federal Law: 23-51-106 (a) An application for a state trust company charter must be made under oath and in the form required by the Bank Commissioner and must be supported by information, data, records, and opinions of counsel that the commissioner requires. The application must be accompanied by a non-refundable filing fee of not less than three thousand dollars (\$3,000) nor more than ten thousand dollars (\$10,000) as set by rule of the commissioner and proof of escrow of deposit for the required capital. Requirement Statement: 23-51-108 (a) No person shall appear in opposition to the application unless the person shall have filed a written protest to the granting of the application within thirty (30) days of the date of the notice of the filing of the application. The protest must state the grounds for objection and must be accompanied by a filing fee of not less than two thousand dollars (\$2,000) nor more than five thousand dollars (\$5,000) for each protestant, such amount to be set by rule promulgated by the Bank Commissioner. Enforce or Repeal?: These two filing fees are required by statute and this rule establishes those fees within the statutory ranges. Agency Justification: Enforce The Bank Commissioner has the statutory authority to supervise and issue rules for Trust Institutions under Ark. Code Ann. § 23-51-103. This rule establishes the fee schedule for a variety of applications related to establishing and running a trust institution. A number of filing fees are required by statute (e.g. A.C.A. § 23-51-106 (a)), and this rule establishes those fees within the statutory ranges where applicable. For these reasons, this rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/11025/Final/1.1_Fees.pdf	09/29/1997	11/20/1997	09/19/2005	ID#: 11026
Trust Institution 1.2 – Assessment, Examination Fees	ID#: 11026			
Statutory Authority: 23-51-103 ☐ Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Bank Commissioner has the statutory authority to supervise and issue rules for Trust Institutions under Ark. Code Ann. § 23-51-103. Under A.C.A. § 23-51-185, state-chartered trust companies are required to pay an assessment fee in accordance with a fee schedule established by the Bank Commissioner. This rule establishes that fee schedule, and for these reasons, this rule should be enforced. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/113/Rules/11026/Final/1.2_Assessment_and_Examination_Fees.pdf	09/29/1997	11/20/1997	09/19/2005	ID#: 11027
Trust Institutions 1.3 – Confidential Information	ID#: 11027			

Act 781 of 2017 Rules Report

for Department of Commerce - State Securities Department

Department of Commerce - State Securities Department					Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Enforce								
Money Services Rules								ID#: 2232
Statutory Authority: Ark. Code Ann. § 23-55-104					12/09/2008	12/19/2008	01/02/2020	02/02/2020
☐ Required under State or Federal Law: (none)								
Requirement Statement: (none)								
Enforce or Repeal?: Enforce								
Agency Justification: Ark. Code Ann. § 23-55-104 provides the legal authority for the Money Services Rules. These Rules are used and monitored on an ongoing basis and any necessary amendments are made through the administrative process.								
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/114/Rules/2232/Final/February-2020-Money-Services-Rules.pdf								
Rules of the Arkansas Credit Union Division								ID#: 2265
Statutory Authority: Ark. Code Ann. § 23-35-202					06/15/1977	06/15/1977	06/15/1977	02/28/1994
☐ Required under State or Federal Law: (none)								
Requirement Statement: (none)								
Enforce or Repeal?: Enforce								
Agency Justification: Ark. Code Ann. §§ 23-35-201 and 23-35-202 provides the legal authority for the Rules of the Arkansas Credit Union Division. Any amendments to these Rules is accomplished through the administrative process.								
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/114/Rules/2265/Final/credit_union_division_rules_06151977.pdf								
Rules of the Arkansas Savings and Loan Association Board								ID#: 2264
Statutory Authority: Ark. Code Ann. § 23-37-207					11/09/1978	12/01/1978	11/09/1978	
☐ Required under State or Federal Law: (none)								
Requirement Statement: (none)								
Enforce or Repeal?: Enforce								
Agency Justification: Ark. Code Ann. §§ 23-37-206 and 23-37-207 provides the legal authority for the Rules of the Arkansas Savings and Loan Association Board. Any amendments to these Rules is accomplished through the administrative process.								
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/114/Rules/2264/Final/savings_loan_associations_rules_12011978.pdf								
Rules of the Arkansas Securities Commissioner								ID#: 2233
Statutory Authority: Ark. Code Ann. § 23-42-204					10/09/1989	10/09/1989	07/22/2022	08/01/2022
☐ Required under State or Federal Law: (none)								
Requirement Statement: (none)								
Enforce or Repeal?: Enforce								
Agency Justification: Ark. Code Ann. §§ 23-42-201 and 23-42-204 provides the legal authority for the Rules of the Arkansas Securities Commissioner. These Rules are used and monitored on an ongoing basis and any necessary amendments are made through the administrative process.								
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/114/Rules/2233/Final/Securities-Rules-effective-August-1-2022-1.pdf								
Rules of the Fair Mortgage Lending Act								ID#: 2231

