

Act 781 of 2017 Rules Report

for Department of Parks, Heritage, and Tourism - Division of Heritage

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Department of Parks, Heritage, and Tourism - Division of Heritage				
Enforce				
Rules Governing the Arkansas Major Historic Rehabilitation Income Tax Credit Act				ID#: 11040
Statutory Authority:	Ark. Code Ann. 26-51-2606	09/22/2019	02/10/2020	01/29/2020
<input checked="" type="checkbox"/> Required under State or Federal Law:	Ark. Code Ann. 26-51-2606 (a) The Division of Arkansas Heritage shall promulgate rules to implement this subchapter that shall include criteria for the prioritizing of the rehabilitation applications and that will stimulate the local economy where the property is located, including without limitation the criteria that the rehabilitation project will be prioritized in the following order: (1) Result in the creation of a new business; (2) Result in the expansion of an existing business; (3) Establish or contribute to the establishment of a tourism attraction as defined by the Department of Parks, Heritage, and Tourism; (4) Contribute to the revitalization of a specific business district; or (5) Be a key property in the revitalization of a specific neighborhood. (b) The Division of Arkansas Heritage shall consult with the Department of Finance and Administration, the Arkansas Economic Development Commission, and the State Insurance Department in promulgating rules under this subchapter. (c) The Department of Parks, Heritage, and Tourism shall promulgate rules to define a “tourism attraction” as provided in subdivision (a)(3) of this section.			
Requirement Statement:	These rule were promulgated as required by Ark. Code Ann. 26-51-2606 to implement the subchapter establishing the Major Historic Rehabilitation Income Tax Credit program			
Enforce or Repeal?:	Enforce			
Agency Justification:	This rule creates the administrative procedure for administering the Major Historic Rehabilitation Income Tax Credit program as required by Ark. Code Ann. 26-51-2606.			
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/11040/Final/Final_Rule_Major_Historic_Income_Tax_Credit_as_amended_in_2023.pdf			
AAC - Major Arts Partners & Major Arts Initiative Laboratory - Guide to Grants for Organizations Fiscal Year 2001 - 012.03.99-001				ID#: 30
Statutory Authority:	ACA 13-8-106	10/22/1999	11/02/1999	10/22/1999
<input type="checkbox"/> Required under State or Federal Law:	(none)			
Requirement Statement:	(none)			
Enforce or Repeal?:	Enforce			
Agency Justification:	This grant program and these grant guidelines are currently in use by the Arkansas Arts Council.			
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/30/Final/AAC_012.03.99-001F-1156_Major_Arts_Partners_&_Major_Arts_Initiative_Laboratory_-_Guide_to_Grants-OBSOLETE.pdf			
AHPP - Arkansas Rehabilitation Income Tax Credit Program - 012.02.09.002				ID#: 705
Statutory Authority:	ACA 13-7-101 et seq.	10/14/2009	10/24/2009	10/14/2009
<input type="checkbox"/> Required under State or Federal Law:	(none)			
Requirement Statement:	(none)			
Enforce or Repeal?:	Enforce			
Agency Justification:	The Arkansas Historic Preservation Program still use these rules to operate the historic property rehabilitation state income tax credit program.			
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/705/Final/AHPP_012.02.09-002_Arkansas_Rehabilitation_Income_Tax_Credit_Program.pdf			
AHPP - Conservation Easement Document and Rules (AHPP/DAH) 012.02.91.005				ID#: 34

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: 13-7-101 et seq and ACA 25-15-203 <input type="checkbox"/> Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Arkansas Historic Preservation Program still uses these rules for an existing program. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/34/Final/AHPP_12.02.91-005_Conservation Easement.pdf	05/24/1991	06/04/1991	05/24/1991	
AHPP - DAH Historical Marker Program Guidelines 012.02.17-001				ID#: 1006
Statutory Authority: ACA 25-15-203; ACA 25-3-101 <input type="checkbox"/> Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: This program is currently in use. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/1006/Final/DAH_012.02.17-001_DAH Historical Marker Program Guidelines.pdf	10/12/2017	11/01/2017	10/12/2017	
AHPP - Main Street Arkansas Downtown Revitalization Grant 012.02.96.001				ID#: 695
Statutory Authority: ACA 13-7-101 et seq. <input type="checkbox"/> Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: This is a current and active Main Street Arkansas Grant program to encourage downtown networks to organize and develop, and network successful economic programs. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/695/Final/AHPP_012.02.96-001_Revitalization Grant 012.02.96.001.pdf	08/08/1996	08/18/1996	08/08/1996	
AHPP - National History Day Travel Grant Program 012.02.17-002				ID#: 1008
Statutory Authority: ACA 25-15-203, ACA 25-3-101 <input type="checkbox"/> Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: This program is currently in use. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/1008/Final/DAH_012.02.17-002_National History Day Travel Grant Program.pdf	10/12/2017	11/01/2017	10/12/2017	
AHPP - Requirements and Procedures for Historic Preservation and Restoration Grants 012.02.99.001				ID#: 701
Statutory Authority: ACA 13-7-101 et seq. <input type="checkbox"/> Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: This program is currently in use. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/701/Final/AHPP_012.02.99-001_Requirements and Procedures for Historic Preservation and Restoration Grants.pdf	05/24/1999	05/27/1999	05/17/1999	
AHPP - Revisions to the Manual for the County Courthouse Restoration Grant (CCRG) Program 012.02.01.004				ID#: 35

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: ACA 13-7-106 and ACA 25-15-203 <input type="checkbox"/> Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: This program is currently in use. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/35/Final/AHPP_12.02.01-004_County Courthouse Restoration Grant Manual.pdf	05/24/1991	06/05/1991	05/24/1991	
AHPP - Revisions to the Manual for the Historic Preservation Restoration Grant (HPRG) Program - 012.02.01.003				ID#: 704
Statutory Authority: ACA 13-7-101 et seq. <input type="checkbox"/> Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: This program is currently in use. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/704/Final/AHPP_012.02.01-003_Revisions to the Manual for the Historic Preservation Restoration Grant (HPRG) Program.pdf	06/11/2001	06/25/2001	06/15/2001	
AHPP - Rules for the Arkansas Historic Rehabilitation Income Tax Credit Program - 012.02.15.002				ID#: 707
Statutory Authority: ACA 13-7-101 et seq. <input type="checkbox"/> Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: This program is in use. These rules are used to operate the historic rehabilitation income tax credit program. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/707/Final/AHPP_012.02.15-002_Rules for the Arkansas Historic Rehabilitation Income Tax Credit Program.pdf	07/28/2015	08/08/2015	07/28/2015	
AHPP - Rules on the Historic Preservation Grants Program Addition of the Cemetery Restoration Grant - 012.02.15.001				ID#: 706
Statutory Authority: ACA 13-7-101 et seq. <input type="checkbox"/> Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: These rules are still in use. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/706/Final/DAH_12.02.15-001_Rules on the Historic Preservation Grants Program Addition of the Cemetery Restoration Grant.pdf	07/28/2015	08/08/2015	07/28/2015	
AHPP - Siding Policy - 012.02.01.001				ID#: 702
Statutory Authority: ACA 13-7-101 et seq. <input type="checkbox"/> Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: These rules are required to be in place by the National Park Service to evaluate non-contributing structures in historic districts for the National Register of Historic Places. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/702/Final/AHPP_012.02.01-001_Siding Policy.pdf	06/11/2001	06/21/2001	06/15/2001	
AHPP - Small Museum Grant Program 012.02.17-003				ID#: 1007

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Statutory Authority: ACA 25-15-203, ACA 25-3-101 <input type="checkbox"/> Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: This program is in use. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/1007/Final/DAH_12.02.17-003_Small_Museum_Grant_Program.pdf	10/12/2017	11/01/2017	10/12/2017	
AHPP/CEN - AHPP SRB Bylaws-012.10.79.003				ID#: 919
Statutory Authority: ACA 13-7-101 et seq. <input type="checkbox"/> Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: The Historic Preservation State Review Board still uses these Bylaws to govern their activities. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/919/Final/ahpp_012.10.79-003_AHPP_SRB_Bylaws.pdf	12/13/1979	12/23/1979	12/13/1979	
ANCRC - Bylaws 2002 012.09.02.001				ID#: 40
Statutory Authority: ACA 25-15-203 <input type="checkbox"/> Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: These rules are currently in use. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/40/Final/ANCRC_012.09.02-001F_Bylaws_2002.pdf	12/12/2002	12/22/2002	12/12/2002	
ANHC - General Rules 012.04.11-001				ID#: 930
Statutory Authority: ACA 15-20-371 <input type="checkbox"/> Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: These rules are currently in use and superseded prior rules. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/930/Final/ANHC_012.04.11-001_current rules and regs 2011.pdf	09/22/2011	10/02/2011	09/22/2011	
Arkansas Cultural Institutions Trust Fund Act Rules				ID#: 11041
Statutory Authority: Ark. Code Ann. 13-8-303 <input checked="" type="checkbox"/> Required under State or Federal Law: Ark. Code Ann. 13-8-303 The Division of Arkansas Heritage shall promulgate rules to implement this subchapter that shall include criteria for the distribution of grant funds, including without limitation the following factors: (1) Estimated economic and tourism impact of the project; (2) Availability of other project funding sources; and (3) Overall project cost. Requirement Statement: Ark. Code Ann. 13-8-303 requires the agency to promulgate these rules to include criteria for the distribution of grant funds Enforce or Repeal?: Enforce Agency Justification: Ark. Code Ann. 13-8-303 requires the agency to promulgate these rules to include criteria for the distribution of grant funds Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/11041/Final/Arkansas_Cultural_Institutions_Trust_Fund_Act_Rules.pdf	03/07/2022	05/31/2022	05/20/2022	
Arkansas State Capitol and Historical Monument Protection Act Rules				ID#: 11042

		Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority:	Ark. Code Ann. 22-3-2015(e)	01/15/2022	06/27/2022	06/17/2022	
<input checked="" type="checkbox"/> Required under State or Federal Law:	Ark. Code Ann. 22-3-2015(e) The commission shall promulgate rules under the Arkansas Administrative Procedure Act, § 25-15-201 et seq., to: <ol style="list-style-type: none"> (1) Establish a process for the application for a waiver; (2) Create a process for the approval of a temporary waiver on an emergency basis; (3) Establish guidelines regarding what will be designated as a historical monument; (4) Create an application process for registering historical monuments erected after April 28, 2021; (5) Establish guidelines for the disposition of historical monuments if a waiver is granted to remove a historical monument; and (6) Otherwise effectuate the purposes of this subchapter. 				
Requirement Statement:	These rules were promulgated pursuant to Ark. Code Ann. 22-3-2015(e) requiring the Commission establish rules for several areas covered by the subchapter.				
Enforce or Repeal?:	Enforce				
Agency Justification:	These rules are required by Ark. Code Ann. 22-3-2015(e) and necessary to administer the requirements of the Arkansas State Capitol and Historical Monument Protection Act.				
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/11042/Final/Arkansas_State_Capitol_and_Historical_Monument_Protection_Act_Rules.pdf				
ASA - Arkansas History Commission Rules (2014) - 013.02.14-001					ID#: 953
Statutory Authority:	ACA 13-3-104	10/27/2014	11/08/2014	10/27/2014	
<input type="checkbox"/> Required under State or Federal Law:	(none)				
Requirement Statement:	(none)				
Enforce or Repeal?:	Enforce				
Agency Justification:	This rule is currently in use.				
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/953/Final/ASA_013.02.14-001F-14570_General_Operations_Rev.2014.pdf				
ASA - Arkansas History Commission Services and Fees - 013.02.14-002					ID#: 954
Statutory Authority:	ACA 13-3-104	10/27/2014	11/07/2014	10/27/2014	
<input type="checkbox"/> Required under State or Federal Law:	(none)				
Requirement Statement:	(none)				
Enforce or Repeal?:	Enforce				
Agency Justification:	This rule is currently in use.				
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/954/Final/ASA_013.02.14-002F-14571_Service_and_Fees.pdf				
ASA - Curtis H. Sykes Memorial Grant Program - 013.02.14-003					ID#: 955
Statutory Authority:	ACA 13-3-104	10/27/2014	11/08/2014	10/27/2014	
<input type="checkbox"/> Required under State or Federal Law:	(none)				
Requirement Statement:	(none)				
Enforce or Repeal?:	Enforce				
Agency Justification:	This rule is currently in use for the Black History Commission's Curtis Sykes Grant Program.				
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/955/Final/ASA_013.02.14-003F-14572_Sykes_Grant_Program_Rev.2014.pdf				
CEN - Arkansas Heritage Month Grants - 012.10.97-001					ID#: 956

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: ACA 13-3-104 <input type="checkbox"/> Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: This rule is currently in use for the Heritage Month grants. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/956/Final/DAH_012.10.97-001_Heritage Month Grants.pdf	11/12/1997	11/22/1997	11/12/1997	
Criteria and Procedures for Naming ADPHT Amenities				ID#: 11046
Statutory Authority: Ark. Code Ann. § 25-43-1302 <input type="checkbox"/> Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: This rule provides a uniform procedure for naming ADPHT amenities. Since these are built with public dollars, these rules were promulgated to provide the public input into the process as well. The agency would like to continue using this uniform process. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/11046/Final/Procedures_for_Naming_ADPHT_Amenities.pdf	08/29/2020	12/05/2020	11/24/2020	
DAH Guidelines for Museum Hours of Operation				ID#: 11044
Statutory Authority: Ark. Code Ann. 25-3-101 <input type="checkbox"/> Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: This rule was promulgated to help ensure accreditation from the American Alliance of Museums. The agency would like to retain this rule for the same reason. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/11044/Final/DAH_Guidelines_Museum_Hours_of_Operation.pdf	09/14/2020	01/01/2020	01/29/2020	
DCC/CEN - Bylaws of the Delta Policy Advisory Board - 012.10.91-001				ID#: 957
Statutory Authority: ACA 13-5-706 <input type="checkbox"/> Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: These bylaws are currently in use by the advisory board of Delta Cultural Center. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/957/Final/DCC_012.10.91-001_Bylaws of Delta Advisory Board.pdf	01/07/2015	01/17/2015	01/07/2015	
HAM - Museum Public Use and Educational Programming - Fees and Charges - 012.05.01-001				ID#: 960
Statutory Authority: ACA 13-7-302 <input type="checkbox"/> Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: This rule is still in use. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/960/Final/HAM_012.05.01-001F-800_Rules Regarding Public Education and Programming.pdf	07/13/2001	07/23/2001	07/13/2001	
HAM - Rules and Regulations regarding parking - 012.05.87-001				ID#: 959

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: ACA 13-7-302 <input type="checkbox"/> Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: This rule is still in use. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/959/Final/HAM_012.05.87-001_Rules Regarding Parking.pdf	07/15/1987	07/25/1987	07/15/1987	
HAM/CEN - Bylaws of Arkansas Territorial Restoration Commission - 012.10.79-006				ID#: 958
Statutory Authority: ACA 13-7-302 <input type="checkbox"/> Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: This rule is currently in use. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/958/Final/HAM_012.10.79-006_Bylaws of Ark Terr Restoration Commission.pdf	12/13/1979	12/23/1979	12/13/1979	
OSH - Old State House Museum rental procedures and fee update - 012.01.99-001				ID#: 967
Statutory Authority: ACA 13-7-205 <input type="checkbox"/> Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: This rule is still in use. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/967/Final/OSH_012.01.99-001_OSHM Rental Procedures and Fee Update.pdf	08/03/1999	08/13/1999	08/03/1999	
OSH - Rules and Regulations - 012.01.80-001				ID#: 964
Statutory Authority: ACA 13-7-205 <input type="checkbox"/> Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: This rule is still in use. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/964/Final/OSH_012.01.80-001_Rules and Reg.pdf	06/11/1980	06/21/1980	06/11/1980	
OSH - Trapnall Hall Rental Fee Update - 012.01.98-001				ID#: 966
Statutory Authority: ACA 13-7-205 <input type="checkbox"/> Required under State or Federal Law: (none) Requirement Statement: (none) Enforce or Repeal?: Enforce Agency Justification: This fee schedule is still in use. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/966/Final/OSH_012.01.98-001_Trapnall Hall Rental Fee Update.pdf	04/27/1998	05/08/1998	04/27/1998	
Rules Governing "Criterion E" and "Arkansas Heritage Site"				ID#: 11045

		Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: Ark. Code Ann. 13-7-109 and 1-4-134		12/06/2019	03/06/2020	02/24/2020	
<input type="checkbox"/>	Required under State or Federal Law: (none)				
	Requirement Statement: (none)				
	Enforce or Repeal?: Enforce				
	Agency Justification: Criterion E and Arkansas Historic Site designation created an additional path for inclusion on the Arkansas State Register of Historic Places. The agency would like to continue recognizing geographic areas of historic importance for their heritage and cultural resources so that current and future generations can learn about their stories and enjoy them.				
	Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/170/Rules/11045/Final/Rules_Governing_Addition_of_Criterion_E_and_Arkansas_Heritage_Site.pdf				