

# Arkansas Business and Technology Accelerator Grant Program **Rules**

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## Section 101. Introduction.

### (a) Overview.

(1) The Arkansas Business and Technology Accelerator Grant Program (~~ArBTAGP~~), provided for by Act 165 of 2017, as codified at Ark. Code Ann. § 15-3-601 et. seq., was created to stimulate innovation and growth among the state's technology businesses.

(2) The program, administered by the Division of Science and Technology of the Arkansas Economic Development Commission (~~Division~~), may provide, to eligible businesses, discretionary grants of up to two hundred fifty thousand dollars (\$250,000) to sponsor business and technology programs to mentor start-up companies.

(3) Objectives of the ArBTAGP program are to:

(A) ~~Stimulate corporate growth through the infusion of innovative:~~

(i) ~~ideas~~ Ideas;

(ii) ~~products~~ Products; and

(iii) ~~services~~ Services;

(B) ~~Create high-skilled, high-wage jobs by encouraging the development of technological products and services; and~~

(C) ~~Foster economic growth by linking new ideas, products, and services by entrepreneurs and start-up companies to corporate sponsors seeking the commercialization of new products and services.~~

## **Program Rule Summary**

- ~~1. Eligible applicants shall submit completed applications, on forms prescribed by the Division, to request grant funding from the ArBTAGP.~~
- ~~2. The Director of the Division of Science and Technology of the Arkansas Economic Development Commission (Director), with advice from the Board of Directors of the Division of Science and Technology of the Arkansas Economic Development Commission (Board), shall review and recommend applications for grant funding to the Executive Director of the Arkansas Economic Development Commission (Executive Director).~~
- ~~3. Applicants receiving approval from the Executive Director shall execute grant agreements specifying grant terms and conditions.~~
- ~~4. Grant funding shall be made available to grantees on a reimbursement basis, subsequent to submittal of requests for payment as instructed in the grant agreement by the Division.~~
- ~~5. Grantees shall submit final reports, upon full expenditure of Program grant funds, in accordance with terms specified in the grant agreement.~~

## **Contact Information**

~~For more information, please contact:  
Arkansas Economic Development Commission  
Division of Science and Technology~~

~~900 West Capitol, Suite 400  
Little Rock, AR 72201  
(501) 682-1121~~

## ~~II. Rulemaking Authority~~

~~The AEDC has authority, at § 15-3-608, to promulgate rules necessary to administer the Arkansas Business and Technology Accelerator Grant Program.~~

### Section 102. ~~III~~ Definitions.

~~1.~~(1) “Business and technology accelerator” means a full-time, immersive program administered by an eligible applicant to potentially invest in, mentor, and accelerate commercial development of start-up businesses;

~~2.~~(2) “Business and technology accelerator grant” means a discretionary grant of up to two hundred fifty thousand dollars (\$250,000) for each approved business and technology accelerator application; and

~~3.~~(3) “Eligible applicant” means an entity that is:

~~A.~~(A) Registered as a business entity in good standing with the Arkansas Secretary of State; and

~~B.~~(B) Principally engaged in one (1) or more of the following categories of business or industry:

~~(i)~~(i) A manufacturer classified in sectors 31-33 of the 2012 North American ~~Industrial~~Industry Classification System;

~~(ii)~~(ii) A business that:

~~(a)~~(a) —Is primarily engaged in:

~~(1)~~ ~~the~~The design and development of prepackaged software;<sub>;</sub>

~~(2)~~ ~~digital~~Digital content production and preservation;<sub>;</sub>

~~(3)~~ ~~computer~~Computer processing and data preparation services;<sub>;</sub> or

~~(4)~~ ~~information~~Information retrieval services; and

~~(b)~~(b) —Derives at least seventy-five percent (75%) of its sales revenue from out of state;

~~(iii)~~(iii) An office sector business whose business operations support primary business needs, including without limitation customer service, credit accounting, telemarketing, claims processing, and other administrative functions that:

~~(a)~~(a) —Is a nonretail business; and

~~(b)~~(b) —Derives at least seventy-five percent (75%) of its sales revenue from out of state;

~~(iv)~~(iv) A national or regional corporate headquarters as classified in sector 551114 of the 2012 North American ~~Industrial~~Industry Classification System;

~~(v)~~(v) A scientific and technical services business that derives at least seventy-five percent (75%) of its sales revenue from out of state;

~~(vi)~~(vi) –A firm primarily engaged in commercial, physical, and biological research as classified in code 541711 or 541712 of the 2012 North American ~~Industrial~~ Industry Classification System; ~~and~~

~~(vii)~~(vii) A firm engaged in one (1) or more of the following categories:  
~~(a)~~(a) Advanced materials and manufacturing systems;  
~~(b)~~(b) Agriculture, food processing, and environmental sciences;  
~~(c)~~(c) Biotechnology, bioengineering, and life sciences;  
~~(d)~~(d) Information technology;  
~~(e)~~(e) Transportation logistics; and  
~~(f)~~(f) Internet-enabled technology or service solution of one (1) or more of the categories described in ~~subdivision section 102.3.B.(vii)(a)-(e) of this section; and~~

~~(viii)~~ A business that is primarily engaged in operating combustors and incinerators for the disposal of nonhazardous solid waste, as classified in code 562213 of the 2022 North American Industry Classification System.

### Section 103. ~~IV~~ Eligibility.

(a) **Eligible Applicants**~~applicants~~. To be eligible to receive ~~ArBTAGP~~ Arkansas Business and Technology Accelerator Grant Program funding, an applicant shall:

- ~~1~~(1) Meet the definition of “eligible applicant”; and
- ~~2~~(2) Submit a completed, signed application, ~~on forms provided by the Division of Science and Technology of the Arkansas Economic Development Commission.~~

(b) **Eligible Costs**~~costs~~.

The Division will review all expenditure requests prior to payment to ensure that costs are consistent with the terms and conditions of the grant agreement.

### Section 104. ~~V~~ Application Process~~process~~.

(a) Application ~~Submittal~~ submittal.

(1) To request ~~ArBTAGP~~ Arkansas Business and Technology Accelerator Grant Program funds, eligible applicants shall, utilizing forms prescribed by the Division of Science and Technology of the Arkansas Economic Development Commission, submit a completed, signed application with all supporting documentation to the Division.

(2) Applications shall include:

- ~~1~~(A) Accelerator title;
- ~~2~~(B) Contact information;
- ~~3~~(C) Proof of legal organization as a business entity in good standing with the Arkansas Secretary of State;
- ~~4~~(D) A statement of work;
- ~~5~~(E) The amount of funding requested; and
- ~~6~~(F) Start and completion dates of the project.

(b) Application ~~Review and Approval~~ review and approval.

No grant offer shall be made by the ~~Executive~~ Director of the Arkansas Economic Development Commission to an applicant until the Division has completed the following review and approval process:

~~1~~(1) The Division shall conduct a preliminary review of each application, in order of receipt, to confirm that it:

- ~~\_\_\_\_\_~~ ~~A.(A)~~ Was submitted by an eligible applicant;
- ~~\_\_\_\_\_~~ ~~B.(B)~~ Is for a targeted business activity consistent with program objectives; and
- ~~\_\_\_\_\_~~ ~~C.(C)~~ Is complete, including all required attachments;

~~\_\_\_\_\_~~ ~~2.(2)(A)~~ At its discretion, the Division may request supplemental materials from the applicant.

~~\_\_\_\_\_~~ ~~(B)~~ All supplemental materials must be received at least forty-five (45) days prior to the next scheduled meeting of the Board of Directors of the Division of Science and Technology of the Arkansas Economic Development Commission;

~~\_\_\_\_\_~~ ~~3.(3)~~ All applications meeting preliminary review requirements shall be forwarded to the ~~Board~~board at least thirty (30) days prior to ~~their~~its next scheduled meeting;

~~\_\_\_\_\_~~ ~~4.(4)~~ The Board shall:

- ~~\_\_\_\_\_~~ ~~A.(A)~~ Review each application in accordance with program rules; and
- ~~\_\_\_\_\_~~ ~~B.(B)~~ Forward, for each application reviewed, a recommendation to approve or disapprove the application to the Director of the Division of Science and Technology of the Arkansas Economic Development Commission;

~~\_\_\_\_\_~~ ~~5.(5)~~ The ~~Director~~Director of the Division of Science and Technology shall review each application in accordance with program rules and the advice and recommendation of the Commercialization Committee of the ~~Board~~board;

~~\_\_\_\_\_~~ ~~6.(6)~~ Upon completion of review, the ~~Director~~Director of the Division of Science and Technology will provide preliminary funding recommendations to the ~~Executive~~Director of the Arkansas Economic Development Commission; and

~~\_\_\_\_\_~~ ~~7.(7)(A)~~ The ~~Executive~~Director of the Arkansas Economic Development Commission, after reviewing ~~the Director of the Division of Science and Technology~~the recommendations, will specify which applicants may receive grants.

~~\_\_\_\_\_~~ ~~A.(B)~~ Unsuccessful applicants will be notified in writing by the Director of the Division of Science and Technology.

~~\_\_\_\_\_~~ ~~B.(C)~~ Approved applicants will be required to execute a grant agreement outlining the amount, terms, and conditions of the grant.

#### Section-105. ~~VI.~~ Grant ~~Agreements~~agreements.

~~\_\_\_\_\_~~ ~~1.(a)(1)~~ ~~ArBTAGP~~Arkansas Business and Technology Accelerator Grant Program grants may be awarded, ~~pending availability of funds~~, at the discretion of the ~~Executive~~Director of the Arkansas Economic Development Commission.

~~\_\_\_\_\_~~ ~~(2)~~ Grant agreements shall specify:

- ~~\_\_\_\_\_~~ ~~A.(A)~~ The eligibility date for incurring project costs;
- ~~\_\_\_\_\_~~ ~~B.(B)~~ Terms and conditions of the grant;
- ~~\_\_\_\_\_~~ ~~C.(C)~~ The amount of approved costs; and
- ~~\_\_\_\_\_~~ ~~D.(D)~~ The process by which grant funds shall be invoiced and disbursed to the grantee.

~~\_\_\_\_\_~~ ~~2.(b)~~ The amount of the grant shall be discretionary and may be for amounts less than requested.

~~\_\_\_\_\_~~ ~~3.(c)~~ Grants may be funded from any source of funds allocated to the ArBTAGP program.

~~\_\_\_\_\_~~ ~~4.(d)~~ Grants will be executed according to the following process:

~~\_\_\_\_\_~~ ~~A.~~(1) Two (2) original copies of the grant agreement will be prepared by the Director of the Division of Science and Technology of the Arkansas Economic Development Commission and forwarded to the grantee for signature and return;

~~\_\_\_\_\_~~ ~~B.~~(2) Upon receipt of the signed grant agreements from the grantee, the Director of the Division of Science and Technology will prepare an approval letter and forward the grant agreements and the approval letter to the ~~Executive~~ Director of the Arkansas Economic Development Commission for signature; and

~~\_\_\_\_\_~~ ~~C.~~(3)(A) One (1) original copy of the grant agreement will be forwarded to the grantee with the signed approval letter.

~~\_\_\_\_\_~~ ~~(B)~~ One (1) original copy of the grant agreement will be retained by the Director of the Division of Science and Technology.

~~\_\_\_\_\_~~ ~~5.~~(e) Any material change to the scope of the project is subject to prior approval by the ~~Executive~~ Director of the Arkansas Economic Development Commission.

#### **Section 106. VII. Confidential Informationinformation.**

~~\_\_\_\_\_~~ (a) Applications submitted to the Division of Science and Technology of the Arkansas Economic Development Commission are subject to the Freedom of Information Act of 1967, Arkansas Code § 25-19-101 et seq.

~~\_\_\_\_\_~~ (b) To the extent an applicant believes that information in an application is confidential or otherwise exempt under the Freedom of Information Act of 1967, Arkansas Code § 25-19-101 et seq., the applicant shall specifically designate in writing the information the applicant believes to be confidential or exempt and the basis for the confidentiality or exemption on that portion of the application in which the information appears.

#### **Section 107. VIII. Reimbursement.**

~~\_\_\_\_\_~~ Disbursements of Arkansas Business and Technology Accelerator Grant Program funds shall be made on a reimbursable basis, payable when invoices and financial reports are submitted to the Division of Science and Technology of the Arkansas Economic Development Commission.

#### **Section 108. IX. Final Reportreport.**

~~\_\_\_\_\_~~ (a) Grantees shall submit final reports, upon full expenditure of ~~ArBTAGP~~Arkansas Business and Technology Accelerator Grant Program ~~grant~~ funds, in accordance with terms specified in the grant agreement.

~~\_\_\_\_\_~~ (b) Reports shall:

~~\_\_\_\_\_~~ ~~A.~~(1) Include a one-page non-proprietary executive summary describing the impact and positive effect of the receipt of ~~ArBTAGP~~program funds;

~~\_\_\_\_\_~~ ~~B.~~(2) Document final expenditure of grant funds;

~~\_\_\_\_\_~~ ~~C.~~(3) Provide an updated status of the project;

~~\_\_\_\_\_~~ ~~D.~~(4) Summarize economic effects of the ~~ArBTAGP~~program on job creation, project commercialization, and patent applications filed or approved subsequent to grant award; and

~~\_\_\_\_\_~~ ~~E.~~(5) Certify that all grant terms and conditions were met.

~~\_\_\_\_\_~~ (c) If a grantee fails to provide the required final report stated in this section they may be:

(A) Ineligible to receive further Arkansas Business and Technology Accelerator Grant Program awards; and

(B) Subject to repayment language in the grant agreement.

~~X. — Effective Date~~

~~These rules are effective on or after October 1, 2017.~~

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

# A Bill

HOUSE BILL 1746

5 By: Representative Lundstrum  
6

## For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING ECONOMIC  
9 DEVELOPMENT INCENTIVES; TO AMEND THE ARKANSAS  
10 BUSINESS AND TECHNOLOGY ACCELERATOR ACT TO PROVIDE  
11 THAT CERTAIN SOLID WASTE DISPOSAL BUSINESSES ARE  
12 ELIGIBLE FOR INCENTIVES UNDER THE ACT; TO AMEND THE  
13 CONSOLIDATED INCENTIVE ACT OF 2003 TO PROVIDE THAT  
14 CERTAIN SOLID WASTE DISPOSAL BUSINESSES ARE ELIGIBLE  
15 FOR INCENTIVES UNDER THE ACT; AND FOR OTHER PURPOSES.  
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## Subtitle

18 TO ALLOW CERTAIN SOLID WASTE DISPOSAL  
19 BUSINESSES TO BE ELIGIBLE FOR ECONOMIC  
20 DEVELOPMENT INCENTIVES UNDER THE ARKANSAS  
21 BUSINESS AND TECHNOLOGY ACCELERATOR ACT  
22 AND THE CONSOLIDATED INCENTIVE ACT OF  
23 2003.  
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27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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29 SECTION 1. Arkansas Code § 15-3-603(3)(B), concerning the businesses  
30 and industries included in the definition of "eligible applicant" under the  
31 Arkansas Business and Technology Accelerator Act, is amended to add an  
32 additional subdivision to read as follows:

33 (viii) A business primarily engaged in operating  
34 combustors and incinerators for the disposal of nonhazardous solid waste, as  
35 classified in code 562213 of the 2022 North American Industry Classification  
36 System.



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SECTION 2. Arkansas Code § 15-4-2703(8), concerning the businesses and industries included in the definition of "eligible businesses" under the Consolidated Incentive Act of 2003, is amended to add an additional subdivision to read as follows:

(L) Businesses primarily engaged in operating combustors and incinerators for the disposal of nonhazardous solid waste, as classified in code 562213 of the 2022 North American Industry Classification System.

**APPROVED: 4/13/23**