Arkansas Economic Development Commission
2025 General Session Rulemaking Update

Agency Rulemaking Contact:

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Statutes Requiring Rulemaking:

1. Act 870 of 2025 – Arkansas Healthy Food Retail Act

- The act mandates the Arkansas Economic Development Commission to establish the Healthy Food Retailer Program in order to provide funding for healthy food retailers and increase access to fresh fruits and vegetables for underserved communities.
- Rulemaking required under Ark. Code Ann. § 15-4-4004(j)(4).
- The rule promulgated under this provision would be a new rule.
- Ark. Code Ann. § 15-4-4004(a) states that the Arkansas Economic Development Commission shall establish the Healthy Food Retail Program "[t]o the extent funds are available". The act itself did not appropriate or allocate any funds for this program. The commission is currently examining existing grant programs to determine if the Healthy Food Retailer Program can be established through those funds or if an additional request to the legislature will be necessary. Until the source and amount of funding can be determined, the program cannot be established and any rules covering the program would be premature.

Additional Required Rulemaking:

1. **Act 440 of 2025 – Amendments to the Arkansas Small Business Innovation Research Grant Program**

- The act amends the existing Small Business Innovation Research Grant Program to include Small Business Technology Transfer Grants within the matching grant program and lifts the lifetime limit of three awards per applicant.
- Rulemaking mandated under Ark. Code Ann. § 15-3-709.
- The existing rules governing the program will need to be amended in order to account for the act's changes.
- Amended rules have been drafted and are in the public comment process. The window for public comment is expected to close in September 2026.

Additional Rulemaking:

1. **Act 116 of 2025 – Prohibiting Discrimination or Preferential Treatment by the State of Arkansas and Other Public Entities**

- The Arkansas Economic Development Commission (the "AEDC") proposed to repeal its existing Minority Business Enterprise and Women-Owned Business Enterprise Certification Program Rules (15 CAR Part 183) and its existing Minority Business Enterprise and Women-Owned Business Enterprise Loan Mobilization Rules (15 CAR Part 149).
- Act 116 of 2025 prohibits discrimination by public entities on the basis of race, sex, color, ethnicity, or national origin.
- The repeal of these rules serves to maintain statutory compliance and limit AEDC's liability.
- Specifically, the rule repeal is necessary maintain compliance with Ark. Code Ann. § 25-1-130, which prohibits the state from engaging in discrimination or preferential treatment on the basis of sex, race, ethnicity, or national origin.
- The repeal of these rules was approved by the ALC at its February 20, 2026, meeting, and the rules have now been formally repealed.