

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

SENATE BILL 402

5 By: Senators J. Dismang, K. Ingram  
6

## For An Act To Be Entitled

8 AN ACT TO ESTABLISH THE ARKANSAS CULTURAL  
9 INSTITUTIONS TRUST FUND ACT; AND FOR OTHER PURPOSES.  
10

## Subtitle

11 TO ESTABLISH THE ARKANSAS CULTURAL  
12 INSTITUTIONS TRUST FUND ACT.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code Title 13, Chapter 8, is amended to add an  
20 additional subchapter to read as follows:

21 Subchapter 3 – Arkansas Cultural Institutions Trust Fund Act.  
22

23 13-8-301. Title.

24 This subchapter shall be known and made be cited as the "Arkansas  
25 Cultural Institutions Trust Fund Act".  
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27 13-8-302. Definitions.

28 As used in this subchapter:

29 (1) "Arkansas cultural institution" means a 501(c)(3) nonprofit  
30 organization located in the State of Arkansas that is open to the public and  
31 that acquires, conserves, researches, communicates, or exhibits works of art,  
32 artifacts or works of cultural or historic significance, or related items  
33 significant to the heritage of Arkansas for the purposes of education, study,  
34 and enjoyment; and

35 (2) "Major capital improvement project" means permanent  
36 structural change or the restoration of some aspect of a building utilized by



1 an Arkansas cultural institution.

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3 13-8-303. Rules.

4 The Division of Arkansas Heritage shall promulgate rules to implement  
5 this subchapter that shall include criteria for the distribution of grant  
6 funds, including without limitation the following factors:

- 7 (1) Estimated economic and tourism impact of the project;  
8 (2) Availability of other project funding sources; and  
9 (3) Overall project cost.

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11 13-8-304. Application period.

12 The Division of Arkansas Heritage shall accept applications for grant  
13 funds for the Arkansas Cultural Institutions Trust Fund beginning November 1,  
14 2021.

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16 13-8-305. Use of the Arkansas Cultural Institutions Trust Fund.

17 (a) The Arkansas Cultural Institutions Trust Fund shall be used for  
18 major capital improvement projects at Arkansas cultural institutions.

19 (b)(1) The Division of Arkansas Heritage shall submit an annual report  
20 to the Secretary of the Department of Parks, Heritage, and Tourism by June 30  
21 of each year, summarizing the grants of money from the Arkansas Cultural  
22 Institutions Trust Fund.

23 (2) The report required under subdivision (b)(1) of this section  
24 shall include recommendations directed toward furthering the purposes of the  
25 division, including without limitation preservation and promotion of  
26 Arkansas's natural and cultural heritage.

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28 SECTION 2. Arkansas Code Title 19, Chapter 5, Subchapter 11, is  
29 amended to add an additional section to read as follows:

30 19-5-1155. Arkansas Cultural Institutions Trust Fund.

31 (a) There is created on the books of the Treasurer of State, the  
32 Auditor of State, and the Chief Fiscal Officer of the State a trust fund to  
33 be known as the "Arkansas Cultural Institutions Trust Fund".

34 (b) The fund shall consist of:

35 (1) Grants, donations, or transfers made by any person or  
36 government agency or office;

1           (2) Any remaining balances in the fund carried forward from year  
2 to year; and

3           (3) Any other funds authorized or provided by law.

4           (c) The fund shall be used for the purposes set out in § 13-8-305.

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6           SECTION 3. DO NOT CODIFY. Rules.

7           (a) When adopting the initial rules to implement this act, the  
8 Division of Arkansas Heritage shall file the final rule with the Secretary of  
9 State for adoption under § 25-15-204(f):

10           (1) On or before November 1, 2021; or

11           (2) If approval under § 10-3-309 has not occurred by November 1,  
12 2021, as soon as practicable after approval under § 10-3-309.

13           (b) The division shall file the proposed rules with the Legislative  
14 Council under § 10-3-309(c) sufficiently in advance of November 1, 2021, so  
15 that the Legislative Council may consider the rules for approval before  
16 November 1, 2021.