

Stricken language would be deleted from and underlined language would be added to present law.

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

As Engrossed: S3/15/21

A Bill

SENATE BILL 402

5 By: Senators J. Dismang, K. Ingram, T. Garner, C. Tucker
6 By: Representative L. Johnson
7

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.
13

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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16 SECTION 1. Arkansas Code Title 13, Chapter 8, is amended to add an
17 additional subchapter to read as follows:
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19 Subchapter 3 – Arkansas Cultural Institutions Trust Fund Act.

20 13-8-301. Title.

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

25 As used in this subchapter:

26 (1) "Arkansas cultural institution" means a 501(c)(3) nonprofit
27 organization located in the State of Arkansas that is open to the public and
28 that acquires, conserves, researches, communicates, or exhibits works of art,
29 artifacts or works of cultural or historic significance, or related items
30 significant to the heritage of Arkansas for the purposes of education, study,
31 and enjoyment; and
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33 (2) "Major capital improvement project" means permanent
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1 structural change or the restoration of some aspect of a building utilized by
2 an Arkansas cultural institution.

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4 13-8-303. Rules.

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

8 (1) Estimated economic and tourism impact of the project;

9 (2) Availability of other project funding sources; and

10 (3) Overall project cost.

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12 13-8-304. Application period.

13 The Division of Arkansas Heritage shall accept applications for grant
14 funds for the Arkansas Cultural Institutions Trust Fund beginning November 1,
15 2021.

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17 13-8-305. Use of the Arkansas Cultural Institutions Trust Fund.

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

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

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

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

31 19-5-1155. Arkansas Cultural Institutions Trust Fund.

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

35 (b) The fund shall consist of:

36 (1) Grants, donations, or transfers made by any person or

1 government agency or office;

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

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

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

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7 SECTION 3. DO NOT CODIFY. Rules.

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

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

12 (2) If approval under § 10-3-309 has not occurred by November 1,
13 2021, as soon as practicable after approval under § 10-3-309.

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

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20 /s/J. Dismang
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