

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

SENATE BILL 370

By: Senator Irvin
By: Representative Eaton

For An Act To Be Entitled

AN ACT TO TRANSFER THE ARKANSAS WINE PRODUCERS COUNCIL FROM THE DEPARTMENT OF COMMERCE TO THE DEPARTMENT OF PARKS, HERITAGE, AND TOURISM; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO TRANSFER THE ARKANSAS WINE PRODUCERS COUNCIL FROM THE DEPARTMENT OF COMMERCE TO THE DEPARTMENT OF PARKS, HERITAGE, AND TOURISM; AND TO DECLARE AN EMERGENCY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. DO NOT CODIFY. Cabinet-level department transfer of the Arkansas Wine Producers Council from Department of Commerce to Department of Parks, Heritage, and Tourism.

(a) The Arkansas Wine Producers Council is transferred by a cabinet-level department transfer under § 25-43-101 et seq. from the Department of Commerce to the Tourism Division of the Department of Parks, Heritage, and Tourism.

(b) The administrative functions of the Arkansas Wine Producers Council are transferred by a cabinet-level department transfer under § 25-43-105 from the Department of Commerce to the Tourism Division of the Department of Parks, Heritage, and Tourism.

(c) The statutory authority, powers, duties, functions, records, personnel, property, contracts, and unexpended balances of appropriations,



allocations, or other funds, including the functions of budgeting or purchasing of the Arkansas Wine Producers Council, are transferred to the Tourism Division of the Department of Parks, Heritage, and Tourism.

(d)(1) The transfer of the Arkansas Wine Producers Council does not affect the orders, rules, directives, or standards made or promulgated by the Arkansas Wine Producers Council before the effective date of this act.

(2) The orders, rules, directives, or standards under subdivision (d)(1) of this section shall continue to be in effect until amended or repealed under authority given by law.

(e) The Department of Commerce shall grant access to and provide all information requested by the Tourism Division of the Department of Parks, Heritage, and Tourism to accomplish the transfer of the Arkansas Wine Producers Council and the mission of the Arkansas Wine Producers Council.

SECTION 2. Arkansas Code § 3-5-701(a)(1), concerning the creation of the Arkansas Wine Producers Council, is amended to read as follows:

(a)(1) There is created within the Tourism Division of the Department of Parks, Heritage, and Tourism the Arkansas Wine Producers Council, to be composed of seven (7) members.

SECTION 3. Arkansas Code § 3-5-703(d), concerning the powers and duties of the Arkansas Wine Producers Council, is amended to read as follows:

(d) Upon approval by a majority vote of the council of a proposal for research by a university research institution or for promotion or tourism by the commission, the council shall direct the Chief Fiscal Officer of the State to transfer on the Department of Finance and Administration books, and shall cause to be transferred on the books of the Treasurer of State and the Auditor of State, such amounts as determined by the council from the Arkansas Wine Producers Council Fund to the ~~Department of Commerce~~ Department of Parks, Heritage, and Tourism Fund Account and to the operating fund or fund accounts of approved research institutions. Use of these funds may be applied as prescribed in this section in the various states of the United States and foreign countries.

SECTION 4. Arkansas Code § 19-5-956(b), concerning the Tourism Development Trust Fund, is amended to read as follows:

(b) The fund shall consist of those special revenues as specified in § 19-6-301(146) and fifty percent (50%) of those special revenues as specified in § 19-6-301(262), there to be used by the ~~Department of Commerce~~ Department of Parks, Heritage, and Tourism exclusively for the promotion of wine tourism in Arkansas.

SECTION 5. Arkansas Code § 25-43-302(10), concerning state entities transferred to the Department of Commerce, is repealed.

~~(10) The Arkansas Wine Producers Council, created under § 3-5-701;~~

SECTION 6. Arkansas Code § 25-43-1302(a), concerning state entities transferred to the Department of Parks, Heritage, and Tourism, is amended to read as follows:

(a) The administrative functions of the following state entities are transferred to the Department of Parks, Heritage, and Tourism by a cabinet-level transfer:

- (1) The Advisory Council of the Arkansas Arts Council, created under § 13-8-103;
- (2) The Arkansas Arts Council, created under § 13-8-103;
- (3) The Arkansas Historic Preservation Program, created under § 13-7-106;
- (4) The Arkansas History Commission, created under § 13-3-102;
- (5) The Arkansas Natural and Cultural Resources Council, created under § 15-12-101;
- (6) The Arkansas Natural Heritage Commission, created under § 15-20-304;
- (7) The Arkansas Post Museum, created under § 13-5-601;
- (8) The Arkansas State Archives, created under § 13-3-101;
- (9) The Arkansas Wine Producers Council, created under § 3-5-701;
- (10) The Black History Commission of Arkansas, created under § 13-3-201;
- ~~(10)~~(11) The Capitol Zoning District Commission, created under § 22-3-303;
- ~~(11)~~(12) The Delta Cultural Center Policy Advisory Board,

created under § 13-5-704;

~~(12)~~(13) The Department of Arkansas Heritage, created under § 25-3-102, now to be known as the “Division of Arkansas Heritage”;

~~(13)~~(14) The Department of Parks and Tourism, created under § 25-13-101 [repealed], now to be known as the “Department of Parks, Heritage, and Tourism”, created under § 25-43-1301, the State Parks Division, created under § 25-43-1304, and the Tourism Division, created under § 25-43-1305, as provided under the Transformation and Efficiencies Act of 2019;

~~(14)~~(15) The Great River Road Division, created under § 25-43-1306;

~~(15)~~(16) The Historic Arkansas Museum Commission, created under § 13-7-302;

~~(16)~~(17) The Keep Arkansas Beautiful Commission, created under § 15-11-601;

~~(17)~~(18) The Mosaic Templars of America Center for African-American Culture and Business Enterprise Advisory Board, created under § 13-5-903;

~~(18)~~(19) The Mosaic Templars of America Center for African-American Culture and Business Enterprise, created under § 13-5-902;

~~(19)~~(20) The Old State House Commission, created under § 13-7-201; and

~~(20)~~(21) The State Parks, Recreation, and Travel Commission, created under § 15-11-201;

~~(21)~~(22) The Ouachita River Commission, created under § 15-23-803.

SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the Arkansas Wine Producers Council preserves the public peace, health, and safety by providing needed funds and services for Arkansas; that this act provides for the transfer of the Arkansas Wine Producers Council to the Department of Parks, Heritage, and Tourism; and that this act should become effective on July 1, 2025, to coincide with the appropriation bills of the Department of Commerce and the Department of Parks, Heritage, and Tourism and ensure that the Arkansas Wine Producers Council continues to provide its vital services as the transfer is implemented and does not experience any issues with funding under the

transfer. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2025.

APPROVED: 4/3/25