

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

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

As Engrossed: H3/18/21 H3/29/21  
**A Bill**

SENATE BILL 418

By: Senator J. Dismang  
By: Representative L. Johnson

### **For An Act To Be Entitled**

AN ACT TO AMEND THE LAW REGARDING THE STATE PARKS, RECREATION, AND TRAVEL COMMISSION; TO AMEND THE AUTHORITY OF THE STATE PARKS, RECREATION, AND TRAVEL COMMISSION RELATED TO FEES FOR SERVICES; TO AUTHORIZE THE STATE PARKS DIVISION TO UTILIZE DYNAMIC PRICING FOR EVENTS, SERVICES, AND OVERNIGHT ACCOMMODATIONS; AND FOR OTHER PURPOSES.

### **Subtitle**

TO AMEND THE AUTHORITY OF THE STATE PARKS, RECREATION, AND TRAVEL COMMISSION RELATED TO FEES FOR SERVICES; AND TO AUTHORIZE THE STATE PARKS DIVISION TO UTILIZE DYNAMIC PRICING FOR EVENTS, SERVICES, AND OVERNIGHT ACCOMMODATIONS.

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

SECTION 1. Arkansas Code § 22-4-305 is amended to read as follows:

22-4-305. Authority of State Parks, Recreation, and Travel Commission to impose fees for services – Pledge of revenues from fees – Restrictions.

(a)(1) The State Parks, Recreation, and Travel Commission ~~is authorized and directed to~~ shall direct the State Parks Division to prescribe and collect reasonable fees, rates, tolls, and charges for the services, facilities, and commodities rendered by the properties and equipment of the state parks system.



(2) The division in coordination with the Secretary of the Department of Parks, Heritage, and Tourism shall annually develop a schedule of base fees, rates, tolls, charges, and rentals for lodging, camping, events, services, and all other accommodations offered across the state parks system.

(3) The division shall submit annually the schedule of fees, rates, tolls, charges, and rentals to the commission for review and approval.

(4)(A) The division may increase or decrease approved fees, rates, tolls, charges, and rentals charged for lodging, camping, events, services, and all other accommodations using a dynamic pricing strategy based on market forces such as seasonal variation in demand, occupancy, market analysis, and special event interest in order to maximize revenues from the use of state resources to promote the fiscal soundness and long-term sustainability of the state parks system.

(B) Fees, rates, tolls, charges, and rentals may be increased by up to twenty percent (20%) or decreased by up to fifty percent (50%) under subdivision (a)(4)(A) of this section.

(5) The division shall submit annually a report regarding the implementation of the dynamic pricing strategy to the commission and the Legislative Council.

(6) The fees, rates, tolls, charges, and rentals established under this subchapter are not subject to the rulemaking requirements of the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(b) The authority and power of the commission includes the right to erect and operate cabins, lodges, restaurants, and other facilities and improvements for the convenience of the public and the right to erect and lease to third parties for operation such facilities and improvements upon such terms as the commission may determine.

(c)(1) The commission shall ~~revise the rates, fees, tolls, charges, and rentals whenever necessary to ensure that the revenues therefrom~~ from rates, fees, tolls, charges, and rentals, together with other available funds, shall be fully sufficient to discharge all obligations of the commission pertaining to the principal of and interest on any bonds as the principal and interest become due.

(2) The gross revenue derived by the commission from all or any part of the properties and equipment of the state parks system may be pledged

to the payment of revenue bonds authorized to be issued by this subchapter even though the proceeds from a particular bond issue may be used for the development or improvement of one (1) or more, but less than all, state parks.

(d) The bonds shall not constitute an indebtedness of the commission or of the State of Arkansas within the meaning of any constitutional or statutory limitation, and this shall be so stated on the face of each bond.

*/s/J. Dismang*