

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

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

SENATE BILL 281

By: Senator Gilmore

By: Representative Beaty Jr.

For An Act To Be Entitled

AN ACT TO AMEND THE LAW REGARDING AGRICULTURE; TO ESTABLISH THE PRODUCER BILL OF RIGHTS FOR COMMODITY CHECKOFF PROGRAMS ACT; TO REQUIRE CERTAIN ACTIONS RELATED TO COMMODITY CHECKOFF PROGRAMS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW REGARDING AGRICULTURE; TO ESTABLISH THE PRODUCER BILL OF RIGHTS FOR COMMODITY CHECKOFF PROGRAMS ACT; AND TO REQUIRE CERTAIN ACTIONS RELATED TO COMMODITY CHECKOFF PROGRAMS.

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

SECTION 1. Arkansas Code Title 2, Chapter 1, is amended to add an additional subchapter to read as follows:

Subchapter 4 – Producer Bill of Rights for Commodity Checkoff Programs Act

2-1-401. Title.

This subchapter shall be known and may be cited as the "Producer Bill of Rights for Commodity Checkoff Programs Act".

2-1-402. Intent.

The General Assembly intends for this subchapter to improve the commodity checkoff programs by:

(1) Ensuring producer control of funds;



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- (2) Enhancing transparency;
- (3) Increasing producer engagement;
- (4) Improving record keeping and access to records;
- (5) Identifying new efficiencies through cooperation amongst the commodity checkoff programs; and
- (6) Seeking to better account for investment returns to producers.

2-1-403. Applicability – Use of funds – Cooperation.

(a) This subchapter shall apply to the following commodity checkoff programs:

- (1) Arkansas Soybean Promotion Board, created under § 2-20-404;
- (2) Arkansas Wheat Promotion Board, created under § 2-20-604;
- (3) Arkansas Rice Research and Promotion Board, created under § 2-20-505;
- (4) Arkansas Corn and Grain Sorghum Promotion Board, created under § 2-20-804;
- (5) Arkansas Catfish Promotion Board, created under § 2-9-103;
- (6) Arkansas Beef Council, created under § 2-35-303.

(b)(1) Funds collected by a commodity checkoff program listed in subsection (a) of this section shall be used only for purposes approved by the commodity checkoff program and as provided by law.

(2) The funds shall not be used for general support of the Department of Agriculture unless specifically authorized by the commodity checkoff program.

(c) The commodity checkoff programs under subsection (a) of this section shall consider opportunities to cooperate with each other to:

- (1) Achieve efficiencies;
- (2) Reduce duplicative efforts; and
- (3) Strengthen efforts on common interests.

2-1-404. Producer engagement.

(a)(1) A commodity checkoff program listed in § 2-1-403(a) shall publish on its website or on a related Department of Agriculture website a notice of commodity checkoff program meetings.

(2) The commodity checkoff program shall:

(A) Provide open access to the commodity checkoff program meeting;

(B) Permit in-person or virtual attendance, as applicable;

(C) Encourage producer engagement at the meeting; and

(D) Publish on its website or on a related department website a document that summarizes each commodity checkoff program meeting, including without limitation any action taken by the commodity checkoff program, documents presented at the meeting, and producer comments received at the meeting.

(b)(1) A commodity checkoff program shall provide a producer portal on the commodity checkoff program's website or a related department website that allows the producer to provide public comment to the commodity checkoff program.

(2) The department shall publish on its website a link to each commodity checkoff program's website for ease of producer access.

(c) At least annually, a commodity checkoff program shall solicit comment from producers engaged in the production of the relevant commodity to seek input for research and promotion activities.

2-1-405. Records – Reporting.

(a) A commodity checkoff program required to comply with this subchapter shall make available and publish on the website of the commodity checkoff program or a related Department of Agriculture website a copy of all records maintained by the commodity checkoff program, including without limitation the following:

(1) Meeting minutes;

(2) Financial reports;

(3) Nonconfidential and nonproprietary research reports;

(4) Promotion reports;

(5) Records related to use of funds;

(6) Nonconfidential and nonproprietary documents and presentations provided during a meeting; and

(7) Meeting agendas, attachments, and, if available, recordings.

(b)(1)(A) A recipient of grant funds of ten thousand dollars (\$10,000) or more from a commodity checkoff program subject to this subchapter shall provide an annual summary to the commodity checkoff program of the work done

and value provided using the grant funds for each year of the life of the grant.

(B) The summary provided under subdivision (b)(1)(A) of this section shall include without limitation:

(i) Nonconfidential and nonproprietary detailed information on the purpose of the project funded with grant funds from the commodity checkoff program;

(ii) Project outcomes and findings; and

(iii) An estimated return on investment value or value proposition.

(2) A commodity checkoff program shall maintain a log of all research and research reports provided by a recipient on the commodity checkoff program's website or a related department website.

(c) A report provided by a commodity checkoff program to the General Assembly shall also be published on the commodity checkoff program's website or a related department website.