

**Title 13. Libraries, Archives, and Cultural Resources**

**Chapter VI. Division of Arkansas Heritage, Department of Arkansas Parks, Heritage, and Tourism**

**Subchapter A. Generally**

**Part 63. Arkansas Cultural Institutions Trust Fund Act Rules**

**Codification Notes.** This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"Effective Date: May 31, 2022"

"1.0 REGULATORY AUTHORITY AND PURPOSE

1.01 The Arkansas Department of Parks, Heritage and Tourism, enacted these rules pursuant to its authority as set forth in Ark. Code Ann. §13-8-301 et seq., Division of Arkansas Heritage, Ark. Code Ann. § 25-3-101 et seq. and §25-15-201 et seq., Ark. Code Ann. §25-15-203 (a)(1)(2)."

**Subpart 1. Generally**

**13 CAR § 63-101. Purpose.**

(a) The purpose of this part, in accordance with the Arkansas Cultural Institutions Trust Fund Act, Acts 2021, No. 777, codified as Arkansas Code § 13-8-301 et seq., is to:

(1) Create an application process for the administration of a grant program for the Arkansas Cultural Institutions Trust Fund; and

(2) Otherwise effectuate the purposes of Acts 2021, No. 777.

(b) This part includes items such as:

(1) Who is eligible to apply for the grant;

(2) How applications are evaluated;

(3) Documentation required by the applicant; and

(4) The timeline for application and decision.

**Authority.** Arkansas Code § 13-8-303.

**13 CAR § 63-102. Organization.**

The Arkansas Cultural Institutions Trust Fund Act, Arkansas Code § 13-8-301 et seq., shall be implemented and administered by the Division of Arkansas Heritage as set forth in Acts 2021, No. 777, codified as Arkansas Code § 13-8-301 et seq.

**Authority.** Arkansas Code § 13-8-303.

**13 CAR § 63-103. Definitions.**

As used in this part:

(1) "Arkansas cultural institution" means a 501(c)(3) nonprofit organization located in the State of Arkansas that is open to the public and that acquires, conserves, researches, communicates, or exhibits works of art, artifacts or works of cultural or historic significance, or related items significant to the heritage of Arkansas for the purposes of:

- (A) Education;
- (B) Study; and
- (C) Enjoyment; and

(2) "Major capital improvement project" means permanent structural change or the restoration of some aspect of a building utilized by an Arkansas cultural institution.

**Authority.** Arkansas Code § 13-8-303.

**13 CAR § 63-104. Application process.**

**(a) Application for grant award.**

(1) An Arkansas cultural institution, as defined in 13 CAR § 63-103, may apply for a grant from the Arkansas Cultural Institution Trust Fund.

(2) The guidelines and access to the online application will be available on the Division of Arkansas Heritage website under Division of Arkansas Heritage grants at <https://www.arkansasheritage.com/available-grants/division-of-arkansas-heritage-grants>.

(3) The application will request that the applicants provide detailed information regarding the project, and applicants will be allowed to submit documents and pictures to support their applications.

**(b) Review of applications by Arkansas Cultural Institutions Trust Fund Review Committee.**

(1) The applications for grants from the fund will be reviewed by the Arkansas Cultural Institutions Trust Fund Review Committee.

(2) The committee will be created by the Secretary of the Department of Parks, Heritage, and Tourism in accordance with Arkansas Code § 13-8-304.

(3) The committee will include three (3) members, including:

(A) The Director of the Division of Arkansas Heritage;

(B) The Director of the Tourism Division; and

(C) A director of an accredited museum within the Division of Arkansas Heritage.

**(c) Factors considered by the committee.**

(1) In evaluating applications, the committee will evaluate the application and consider the following factors:

(A) The estimated economic and tourism impact of the project;

(B) Availability of other project funding sources; and

(C) Overall cost of the project.

(2) In evaluating the application, the total project cost should be a minimum of seven million dollars (\$7,000,000).

(3) The committee will consider the economic impact of the project, including the impact upon the region where the cultural institution is located, including, but not limited to:

(A) Tax revenue generated by the project;

- (B) Number of visitors;
- (C) Jobs and business creation;
- (D) Impact on existing businesses; and
- (E) Overall tourism impact.

(4) The committee can consider other factors in addition to the above referenced factors.

(5) As part of the application process, applicants will be allowed to submit documents and pictures to support their application.

(d) **Criteria for distribution of funds.** The criteria for the distribution of grant funds will include, without limitation, the following factors:

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

**Authority.** Arkansas Code § 13-8-303.

**13 CAR § 63-105. Application review.**

(a) Each member of the Arkansas Cultural Institutions Trust Fund Review Committee will review the application.

(b) After individual review by each member, the committee shall meet to discuss award recommendations based on the amount of funding available.

**Authority.** Arkansas Code § 13-8-303.

**13 CAR § 63-106. Committee recommendation.**

The recommendations of the Arkansas Cultural Institutions Trust Fund Review Committee shall be submitted to the Secretary of the Department of Parks, Heritage, and Tourism for approval.

**Authority.** Arkansas Code § 13-8-303.

**13 CAR § 63-107. Use of funds and annual report.**

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

(b) The Division of Arkansas Heritage will submit an annual report to the Secretary of the Department of Parks, Heritage, and Tourism by June 30 of each year.

(c) The report will include a summary of the grants awarded and amounts distributed by the fund.

(d) Additionally, the report will include recommendations directed toward furthering the purposes of the division, including preservation and promotion of Arkansas's natural and cultural heritage.

**Authority.** Arkansas Code § 13-8-303.

**13 CAR § 63-108. Creation of Arkansas Cultural Institutions Trust Fund.**

(a) Under Arkansas Code § 19-5-1156(a), the funds for this grant program will be held in the Arkansas Cultural Institutions Trust Fund through the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State.

(b) The fund shall consist of:

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

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

(c) Any remaining funds will carry over to the next fiscal year.

(d) The Arkansas Cultural Institutions Trust Fund will be used for the purposes set out in Arkansas Code § 13-8-305.

**Authority.** Arkansas Code § 13-8-303.

**Appendix A. Arkansas Cultural Institutions Trust Fund Grant Program**

**Link:**

<https://CodeOfARRules.arkansas.gov/docs/CARCodeAppendices/Appendices/47/13CARpt.63Appendix.pdf>