



# ARKANSAS

## ENERGY & ENVIRONMENT

Sarah Huckabee Sanders  
GOVERNOR

Shane E. Khoury  
SECRETARY

September 27, 2024

VIA ELECTRONIC MAIL

Administrative Rules Subcommittee  
Arkansas Legislative Council  
Senator Kim Hammer, Co-Chair  
Representative Brian Evans, Co-Chair  
c/o Rebecca Miller-Rice  
Bureau of Legislative Research  
Email: miller-ricer@blr.arkansas.gov

RE: Ark. Code Ann. § 25-15-216(b)(4) Summary

Senator Hammer and Representative Evans:

As required by Ark. Code Ann. § 25-15-216(a), the Department of Energy and Environment (E&E) acknowledges that Acts 173 and 174 of the 2024 Fiscal Session require the Oil and Gas Commission to promulgate new rules regarding digital asset centers and digital asset mining. Sections 14-1-602 through 605 of the Arkansas Code were substantially amended by the above referenced acts to include additional requirements for businesses engaged in digital asset mining. Section 14-1-606 of the Arkansas Code was added by Act 173 to preclude foreign ownership of digital asset mining business operating in Arkansas. Act 174 creates Ark. Code Ann. §§ 23-119-101 through 105, which require permitting of a digital asset mining business. Section 4 of Act 174 requires that Oil and Gas Commission promulgate rules regarding the permitting process to regulate the digital asset mining businesses in this state.

As required by Ark. Code Ann. §25-15-216(b)(4), and at your request, we are providing a summary regarding the progress of the rulemaking required by Acts 173 and 174. E&E attorneys and staff have a final draft of the necessary rules to implement the legislative intent of the acts. As of this date, the final draft of the rules and necessary approval documents have been sent to the Governor for her review and approval.

Please let me know if you have any further questions.

Sincerely,

A handwritten signature in blue ink that reads 'Kesia Morrison'.

Kesia Morrison  
Chief Counsel  
Department of Energy and Environment

ARKANSAS DEPARTMENT OF ENERGY AND ENVIRONMENT

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