

1 State of Arkansas  
2 95th General Assembly  
3 Regular Session, 2025  
4

# A Bill

SENATE BILL 281

5 By: Senator Gilmore  
6 By: Representative Beaty Jr.  
7

## For An Act To Be Entitled

8  
9 AN ACT TO AMEND THE LAW REGARDING AGRICULTURE; TO  
10 ESTABLISH THE PRODUCER BILL OF RIGHTS FOR COMMODITY  
11 CHECKOFF PROGRAMS ACT; TO REQUIRE CERTAIN ACTIONS  
12 RELATED TO COMMODITY CHECKOFF PROGRAMS; AND FOR OTHER  
13 PURPOSES.  
14

## Subtitle

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17 TO AMEND THE LAW REGARDING AGRICULTURE;  
18 TO ESTABLISH THE PRODUCER BILL OF RIGHTS  
19 FOR COMMODITY CHECKOFF PROGRAMS ACT; AND  
20 TO REQUIRE CERTAIN ACTIONS RELATED TO  
21 COMMODITY CHECKOFF PROGRAMS.  
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. Arkansas Code Title 2, Chapter 1, is amended to add an  
26 additional subchapter to read as follows:

27 Subchapter 4 – Producer Bill of Rights for Commodity Checkoff Programs Act  
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29 2-1-401. Title.

30 This subchapter shall be known and may be cited as the "Producer Bill  
31 of Rights for Commodity Checkoff Programs Act".  
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33 2-1-402. Intent.

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

36 (1) Ensuring producer control of funds;



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

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 9           2-1-403. Applicability – Use of funds – Cooperation.

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

- 12           (1) Arkansas Soybean Promotion Board, created under § 2-20-404;  
 13           (2) Arkansas Wheat Promotion Board, created under § 2-20-604;  
 14           (3) Arkansas Rice Research and Promotion Board, created under §  
 15 2-20-505;  
 16           (4) Arkansas Corn and Grain Sorghum Promotion Board, created  
 17 under § 2-20-804;  
 18           (5) Arkansas Catfish Promotion Board, created under § 2-9-103;  
 19           (6) Arkansas Beef Council, created under § 2-35-303.

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

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

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

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

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 32          2-1-404. Producer engagement.

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

36           (2) The commodity checkoff program shall:

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

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

4                   (C) Encourage producer engagement at the meeting; and

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

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

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

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

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20           2-1-405. Records – Reporting.

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

26                   (1) Meeting minutes;

27                   (2) Financial reports;

28                   (3) Nonconfidential and nonproprietary research reports;

29                   (4) Promotion reports;

30                   (5) Records related to use of funds;

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

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

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

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

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

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

8 (ii) Project outcomes and findings; and

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

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

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

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