

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

# A Bill

SENATE BILL 370

5 By: Senator Irvin  
6 By: Representative Eaton  
7

## For An Act To Be Entitled

9 AN ACT TO TRANSFER THE ARKANSAS WINE PRODUCERS  
10 COUNCIL FROM THE DEPARTMENT OF COMMERCE TO THE  
11 DEPARTMENT OF PARKS, HERITAGE, AND TOURISM; TO  
12 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.  
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## Subtitle

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16 TO TRANSFER THE ARKANSAS WINE PRODUCERS  
17 COUNCIL FROM THE DEPARTMENT OF COMMERCE  
18 TO THE DEPARTMENT OF PARKS, HERITAGE,  
19 AND TOURISM; AND TO DECLARE AN  
20 EMERGENCY.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. DO NOT CODIFY. Cabinet-level department transfer of the  
25 Arkansas Wine Producers Council from Department of Commerce to Department of  
26 Parks, Heritage, and Tourism.

27 (a) The Arkansas Wine Producers Council is transferred by a cabinet-  
28 level department transfer under § 25-43-101 et seq. from the Department of  
29 Commerce to the Tourism Division of the Department of Parks, Heritage, and  
30 Tourism.

31 (b) The administrative functions of the Arkansas Wine Producers  
32 Council are transferred by a cabinet-level department transfer under § 25-43-  
33 105 from the Department of Commerce to the Tourism Division of the Department  
34 of Parks, Heritage, and Tourism.

35 (c) The statutory authority, powers, duties, functions, records,  
36 personnel, property, contracts, and unexpended balances of appropriations,



1 allocations, or other funds, including the functions of budgeting or  
 2 purchasing of the Arkansas Wine Producers Council, are transferred to the  
 3 Tourism Division of the Department of Parks, Heritage, and Tourism.

4 (d)(1) The transfer of the Arkansas Wine Producers Council does not  
 5 affect the orders, rules, directives, or standards made or promulgated by the  
 6 Arkansas Wine Producers Council before the effective date of this act.

7 (2) The orders, rules, directives, or standards under  
 8 subdivision (d)(1) of this section shall continue to be in effect until  
 9 amended or repealed under authority given by law.

10 (e) The Department of Commerce shall grant access to and provide all  
 11 information requested by the Tourism Division of the Department of Parks,  
 12 Heritage, and Tourism to accomplish the transfer of the Arkansas Wine  
 13 Producers Council and the mission of the Arkansas Wine Producers Council.

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 15 SECTION 2. Arkansas Code § 3-5-701(a)(1), concerning the creation of  
 16 the Arkansas Wine Producers Council, is amended to read as follows:

17 (a)(1) There is created within the Tourism Division of the Department  
 18 of Parks, Heritage, and Tourism the Arkansas Wine Producers Council, to be  
 19 composed of seven (7) members.

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 21 SECTION 3. Arkansas Code § 3-5-703(d), concerning the powers and  
 22 duties of the Arkansas Wine Producers Council, is amended to read as follows:

23 (d) Upon approval by a majority vote of the council of a proposal for  
 24 research by a university research institution or for promotion or tourism by  
 25 the commission, the council shall direct the Chief Fiscal Officer of the  
 26 State to transfer on the Department of Finance and Administration books, and  
 27 shall cause to be transferred on the books of the Treasurer of State and the  
 28 Auditor of State, such amounts as determined by the council from the Arkansas  
 29 Wine Producers Council Fund to the ~~Department of Commerce~~ Department of  
 30 Parks, Heritage, and Tourism Fund Account and to the operating fund or fund  
 31 accounts of approved research institutions. Use of these funds may be applied  
 32 as prescribed in this section in the various states of the United States and  
 33 foreign countries.

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 35 SECTION 4. Arkansas Code § 19-5-956(b), concerning the Tourism  
 36 Development Trust Fund, is amended to read as follows:

1 (b) The fund shall consist of those special revenues as specified in §  
 2 19-6-301(146) and fifty percent (50%) of those special revenues as specified  
 3 in § 19-6-301(262), there to be used by the ~~Department of Commerce~~ Department  
 4 of Parks, Heritage, and Tourism exclusively for the promotion of wine tourism  
 5 in Arkansas.

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 7 SECTION 5. Arkansas Code § 25-43-302(10), concerning state entities  
 8 transferred to the Department of Commerce, is repealed.

9 ~~(10) The Arkansas Wine Producers Council, created under § 3-5-~~  
 10 ~~701;~~

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 12 SECTION 6. Arkansas Code § 25-43-1302(a), concerning state entities  
 13 transferred to the Department of Parks, Heritage, and Tourism, is amended to  
 14 read as follows:

15 (a) The administrative functions of the following state entities are  
 16 transferred to the Department of Parks, Heritage, and Tourism by a cabinet-  
 17 level transfer:

18 (1) The Advisory Council of the Arkansas Arts Council, created  
 19 under § 13-8-103;

20 (2) The Arkansas Arts Council, created under § 13-8-103;

21 (3) The Arkansas Historic Preservation Program, created under §  
 22 13-7-106;

23 (4) The Arkansas History Commission, created under § 13-3-102;

24 (5) The Arkansas Natural and Cultural Resources Council, created  
 25 under § 15-12-101;

26 (6) The Arkansas Natural Heritage Commission, created under §  
 27 15-20-304;

28 (7) The Arkansas Post Museum, created under § 13-5-601;

29 (8) The Arkansas State Archives, created under § 13-3-101;

30 (9) The Arkansas Wine Producers Council, created under § 3-5-  
 31 701;

32 (10) The Black History Commission of Arkansas, created under §  
 33 13-3-201;

34 ~~(10)~~(11) The Capitol Zoning District Commission, created under §  
 35 22-3-303;

36 ~~(11)~~(12) The Delta Cultural Center Policy Advisory Board,

1 created under § 13-5-704;

2 ~~(12)~~(13) The Department of Arkansas Heritage, created under §  
3 25-3-102, now to be known as the “Division of Arkansas Heritage”;

4 ~~(13)~~(14) The Department of Parks and Tourism, created under §  
5 25-13-101 [repealed], now to be known as the “Department of Parks, Heritage,  
6 and Tourism”, created under § 25-43-1301, the State Parks Division, created  
7 under § 25-43-1304, and the Tourism Division, created under § 25-43-1305, as  
8 provided under the Transformation and Efficiencies Act of 2019;

9 ~~(14)~~(15) The Great River Road Division, created under § 25-43-  
10 1306;

11 ~~(15)~~(16) The Historic Arkansas Museum Commission, created under  
12 § 13-7-302;

13 ~~(16)~~(17) The Keep Arkansas Beautiful Commission, created under §  
14 15-11-601;

15 ~~(17)~~(18) The Mosaic Templars of America Center for African-  
16 American Culture and Business Enterprise Advisory Board, created under § 13-  
17 5-903;

18 ~~(18)~~(19) The Mosaic Templars of America Center for African-  
19 American Culture and Business Enterprise, created under § 13-5-902;

20 ~~(19)~~(20) The Old State House Commission, created under § 13-7-  
21 201; and

22 ~~(20)~~(21) The State Parks, Recreation, and Travel Commission,  
23 created under § 15-11-201;

24 ~~(21)~~(22) The Ouachita River Commission, created under § 15-23-  
25 803.

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27 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the  
28 General Assembly of the State of Arkansas that the Arkansas Wine Producers  
29 Council preserves the public peace, health, and safety by providing needed  
30 funds and services for Arkansas; that this act provides for the transfer of  
31 the Arkansas Wine Producers Council to the Department of Parks, Heritage, and  
32 Tourism; and that this act should become effective on July 1, 2025, to  
33 coincide with the appropriation bills of the Department of Commerce and the  
34 Department of Parks, Heritage, and Tourism and ensure that the Arkansas Wine  
35 Producers Council continues to provide its vital services as the transfer is  
36 implemented and does not experience any issues with funding under the

1 transfer. Therefore, an emergency is declared to exist, and this act being  
2 necessary for the preservation of the public peace, health, and safety shall  
3 become effective on July 1, 2025.

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