

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

A Bill

HOUSE BILL 1850

5 By: Representative Magie
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For An Act To Be Entitled

8 AN ACT TO MODIFY THE RIGHTS OF AN UNINCORPORATED
9 NONPROFIT ASSOCIATION; AND FOR OTHER PURPOSES.
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Subtitle

11 TO MODIFY THE RIGHTS OF AN UNINCORPORATED
12 NONPROFIT ASSOCIATION.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 4-28-609, concerning assertion and defense
20 of claims of an unincorporated nonprofit association, is amended to add
21 additional subsections to read as follows:

22 (c) An unincorporated nonprofit association, in its own name, may:

23 (1) Institute, defend, intervene, or participate in any
24 judicial, administrative, or other governmental proceeding; or

25 (2) Participate in an arbitration, mediation, or any alternative
26 dispute resolution.

27 (d) An unincorporated nonprofit association may assert a claim, in its
28 own name or on behalf of its members, if:

29 (1) A member of the unincorporated nonprofit association has
30 standing to assert a claim in his or her own right;

31 (2) The interests that the unincorporated nonprofit association
32 seeks to protect are pertinent to the purposes of the unincorporated
33 nonprofit association; and

34 (3) The participation of the member is not required for the
35 claim or the relief requested.
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