A Bill

For An Act To Be Entitled
AN ACT TO RESTORE CERTAIN RIGHTS TO A NONPROFIT ORGANIZATION; AND FOR OTHER PURPOSES.

Subtitle
TO RESTORE CERTAIN RIGHTS TO A NONPROFIT ORGANIZATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 4, Chapter 28, Subchapter 1, is amended to add an additional section to read as follows:

4-28-105. Capacity to assert and defend — Standing.
(a) A nonprofit organization may, in its own name, institute, defend, intervene, or participate in a judicial, administrative, or other governmental proceeding or in an arbitration, mediation, or any other form of alternative dispute resolution.
(b) A nonprofit organization may, in its own name, assert a claim on behalf of its members if:
   (1) One (1) or more members of the nonprofit organization have standing to assert a claim in their own right;
   (2) The interests the nonprofit organization seeks to protect are germane to its purpose; and
   (3) Neither the claim asserted nor the relief requested requires the participation of a member.

APPROVED: 04/03/2017