

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1076

5 By: Representatives J. Mayberry, Watson
6 By: Senator Maloch
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE ACHIEVING A BETTER LIFE
10 EXPERIENCE PROGRAM ACT; TO AUTHORIZE THE TRANSFER OF
11 ABLE ACCOUNT ASSETS FOLLOWING THE DEATH OF A
12 DESIGNATED BENEFICIARY; TO PROHIBIT THE STATE FROM
13 SEEKING PAYMENT FROM THE ABLE ACCOUNT; AND FOR OTHER
14 PURPOSES.
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Subtitle

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18 TO AMEND THE ACHIEVING A BETTER LIFE
19 EXPERIENCE PROGRAM ACT; TO AUTHORIZE
20 TRANSFER OF ABLE ACCOUNT ASSETS FOLLOWING
21 DEATH OF DESIGNATED BENEFICIARY; AND TO
22 PROHIBIT THE STATE FROM SEEKING PAYMENT
23 FROM ABLE ACCOUNT.
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 SECTION 1. Arkansas Code § 20-3-109, concerning the naming of
29 designated beneficiaries and the transfer of accounts within the Achieving a
30 Better Life Experience Program Act, is amended to add an additional
31 subsection to read as follows:

32 (c)(1) Unless prohibited by federal law, upon the death of a
33 designated beneficiary, proceeds from an account may be transferred to:

34 (A) The estate of a designated beneficiary; or

35 (B) An account for another eligible individual specified
36 by the designated beneficiary or the estate of the designated beneficiary.



1 (2) An agency or instrumentality of the state shall not seek
2 payment under 26 U.S.C. § 529A(f), as in effect on January 1, 2019, from the
3 account or its proceeds for benefits provided to a designated beneficiary.
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