

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1718

5 By: Representative Lundstrum
6 By: Senator Hill
7

For An Act To Be Entitled

9 AN ACT TO AMEND PROVISIONS OF THE ARKANSAS TRUST CODE
10 CONCERNING CREDITOR CLAIMS AGAINST PROPERTY HELD IN
11 SPENDTHRIFT AND DISCRETIONARY TRUSTS; AND FOR OTHER
12 PURPOSES.
13
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Subtitle

15 TO AMEND PROVISIONS OF THE ARKANSAS TRUST
16 CODE CONCERNING CREDITOR CLAIMS AGAINST
17 PROPERTY HELD IN SPENDTHRIFT AND
18 DISCRETIONARY TRUSTS.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 28-73-505(c)(1)(C), concerning the claim of
25 a creditor against a settlor as it relates to spendthrift and discretionary
26 trusts, is amended to read as follows:

27 (C) an irrevocable trust for the benefit of a person to
28 the extent that the property of the trust was subject to a limited power of
29 appointment or a general power of appointment in another person.
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31 SECTION 2. Arkansas Code § 28-73-505(c), concerning the claim of a
32 creditor against a settlor as it relates to spendthrift and discretionary
33 trusts, is amended to add an additional subdivision to read as follows:

34 (4) As used in subdivision (c)(1)(C) of this section, "limited
35 power of appointment" means a power of appointment that is not a general
36 power of appointment.

