

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

SENATE BILL 763

By: Senator J. Hutchinson

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

