

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1076

By: Representatives J. Mayberry, Watson

By: Senator Maloch

For An Act To Be Entitled

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

Subtitle

TO AMEND THE ACHIEVING A BETTER LIFE
EXPERIENCE PROGRAM ACT; TO AUTHORIZE
TRANSFER OF ABLE ACCOUNT ASSETS FOLLOWING
DEATH OF DESIGNATED BENEFICIARY; AND TO
PROHIBIT THE STATE FROM SEEKING PAYMENT
FROM ABLE ACCOUNT.

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

SECTION 1. Arkansas Code § 20-3-109, concerning the naming of designated beneficiaries and the transfer of accounts within the Achieving a Better Life Experience Program Act, is amended to add an additional subsection to read as follows:

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

(A) The estate of a designated beneficiary; or

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



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

APPROVED: 2/4/19