

Stricken language would be deleted from and underlined language would be added to present law.  
Act 801 of the Regular Session

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

As Engrossed: H4/1/21  
**A Bill**

HOUSE BILL 1718

By: Representatives Lundstrum, *Scott*

By: Senator Hill

**For An Act To Be Entitled**

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

**Subtitle**

TO AMEND PROVISIONS OF THE ARKANSAS TRUST  
CODE CONCERNING CREDITOR CLAIMS AGAINST  
PROPERTY HELD IN SPENDTHRIFT AND  
DISCRETIONARY TRUSTS.

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

SECTION 1. Arkansas Code § 28-73-505(c)(1)(C), concerning the claim of a creditor against a settlor as it relates to spendthrift and discretionary trusts, is amended to read as follows:

(C) an irrevocable trust for the benefit of a person to the extent that the property of the trust was subject to a limited power of appointment or a general power of appointment in another person.

SECTION 2. Arkansas Code § 28-73-505(c), concerning the claim of a creditor against a settlor as it relates to spendthrift and discretionary trusts, is amended to add an additional subdivision to read as follows:

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



*/s/Lundstrum*

**APPROVED: 4/20/21**