

State of Arkansas
90th General Assembly
Regular Session, 2015

A Bill

HOUSE BILL 1850

By: Representative Magie

For An Act To Be Entitled

AN ACT TO MODIFY THE RIGHTS OF AN UNINCORPORATED
NONPROFIT ASSOCIATION; AND FOR OTHER PURPOSES.

Subtitle

TO MODIFY THE RIGHTS OF AN UNINCORPORATED
NONPROFIT ASSOCIATION.

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

SECTION 1. Arkansas Code § 4-28-609, concerning assertion and defense of claims of an unincorporated nonprofit association, is amended to add additional subsections to read as follows:

(c) An unincorporated nonprofit association, in its own name, may:

(1) Institute, defend, intervene, or participate in any judicial, administrative, or other governmental proceeding; or

(2) Participate in an arbitration, mediation, or any alternative dispute resolution.

(d) An unincorporated nonprofit association may assert a claim, in its own name or on behalf of its members, if:

(1) A member of the unincorporated nonprofit association has standing to assert a claim in his or her own right;

(2) The interests that the unincorporated nonprofit association seeks to protect are pertinent to the purposes of the unincorporated nonprofit association; and

(3) The participation of the member is not required for the claim or the relief requested.

