

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

HOUSE BILL 1752

By: Representative Maddox

By: Senator J. Boyd

For An Act To Be Entitled

AN ACT TO EXEMPT CERTAIN SAVINGS PLANS FROM THE
EXECUTION OF A JUDGMENT; AND FOR OTHER PURPOSES.

Subtitle

TO EXEMPT CERTAIN SAVINGS PLANS FROM THE
EXECUTION OF A JUDGMENT.

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

SECTION 1. Arkansas Code § 16-66-220 is amended to read as follows:

16-66-220. Pension, ~~and profit-sharing, retirement, and savings~~ plans =
Definition.

(a)(1) A person's right to the assets held in or to receive payments, whether vested or not, under a pension, profit-sharing, or similar plan or contract, including a retirement plan for self-employed individuals, or under an individual retirement account or an individual retirement annuity, including a simplified employee pension plan, is exempt from attachment, execution, and seizure for the satisfaction of debts unless the plan, contract, or account does not qualify under the applicable provisions of the Internal Revenue Code of 1986.

(2) A person's right to the assets held in or to receive payments, whether vested or not, under a government or church plan or contract is also exempt unless the plan or contract does not qualify under the definition of a government or church plan under the applicable provisions of the federal Employee Retirement Income Security Act of 1974.

(b)(1) Contributions to an individual retirement account that exceed the amounts deductible under the applicable provisions of the Internal



03/11/2025 12:01:08 PM CEB086

Revenue Code of 1986 and any accrued earnings on such contributions are not exempt under this section unless otherwise exempt by law.

(2) However, the limitations of subdivision (b)(1) of this section do not apply to an individual retirement account established pursuant to and qualifying under § 408(A) of the Internal Revenue Code of 1986.

(c)(1) A person's vested or unvested right to the assets held in or to receive payments under a qualified savings plan is exempt from attachment, execution, and seizure for the satisfaction of debts.

(2)(a) As used in subdivision (c)(1), "qualified savings plan" means any stock, bonus, pension, annuity, deferred compensation, profit-sharing, health, education, or similar plan or account not included in subsection (a) of this section, to the extent that the plan or account is exempt from federal income tax or to the extent federal income tax on a person's interest in the plan or account is deferred until actual payment of the benefits to the person.

(b) "Qualified savings plan" includes without limitation:

(i) A plan or account that is subject to federal income tax solely under 26 U.S.C. §§ 511 – 514 as they existed on January 1, 2025;

(ii) An inherited individual retirement account or annuity;

(iii) A health savings account;

(iv) A qualified tuition program of any state that meets the requirements of 26 U.S.C. § 529, as it existed on January 1, 2025;

(v) A qualified program of any state that meets the requirements of 26 U.S.C. § 529A, as it existed on January 1, 2025; and

(vi) A Coverdell education savings account under 26 U.S.C. § 530, as it existed on January 1, 2025.