

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

SENATE BILL 422

By: Senator C. Tucker

By: Representative K. Brown

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE ARKANSAS BRIGHTER FUTURE FUND PLAN ACT; TO ALLOW NONPROFIT ORGANIZATIONS TO CONTRIBUTE TO A NEW OR EXISTING ARKANSAS BRIGHTER FUTURE FUND PLAN ACCOUNT; TO REQUIRE THE TREASURER OF STATE TO FACILITATE CONTRIBUTIONS BY A NONPROFIT ORGANIZATION; AND FOR OTHER PURPOSES.

Subtitle

TO ALLOW NONPROFIT ORGANIZATIONS TO CONTRIBUTE TO A NEW OR EXISTING ARKANSAS BRIGHTER FUTURE FUND PLAN ACCOUNT; AND TO REQUIRE THE TREASURER OF STATE TO FACILITATE CONTRIBUTIONS BY A NONPROFIT ORGANIZATION.

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

SECTION 1. Arkansas Code § 6-84-103(2), concerning the definition of "account owner" under the Arkansas Brighter Future Fund Plan, is amended to read as follows:

(2) "Account owner" means the person ~~who~~ or nonprofit that, under this chapter or the rules promulgated by the Section 529 Plan Review Committee, is entitled to select or change the designated beneficiary of an account, to designate any person other than the designated beneficiary to whom funds may be paid from the account, or to receive distributions from the account if no other person is designated;



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SECTION 2. Arkansas Code § 6-84-103(7), concerning the definition of "contributor" under the Arkansas Brighter Future Fund Plan, is amended to read as follows:

(7) "Contributor" means any person making a contribution to an account or a nonprofit organization making a contribution under § 6-84-107(a)(1);

SECTION 3. Arkansas Code § 6-84-103, concerning the definitions used in the Arkansas Brighter Future Fund Plan Act, is amended to add an additional subdivision to read as follows:

(18) "Nonprofit organization" means a charitable organization exempt from taxation under 26 U.S.C. § 501(c)(3).

SECTION 4. Arkansas Code § 6-84-107(a)(1), concerning the establishment of an Arkansas Brighter Future Fund Plan Account, is amended to read as follows:

(a)(1)(A) An account owner or contributor may establish an account by making an initial contribution to the Arkansas Brighter Future Fund Plan, signing an application form approved by the Section 529 Plan Review Committee and naming the account owner and the designated beneficiary.

(B)(i)(a) A contributor that is a nonprofit organization may establish an account for a designated beneficiary or an identifiable group of beneficiaries.

(b) A nonprofit organization establishing an account for a designated beneficiary under subdivision (a)(1)(B)(i)(a) of this section shall present the parent or guardian of the designated beneficiary an option to voluntarily decline the account and any contribution.

(ii) The Treasurer of State shall establish a system or procedure to:

(a) Obtain the personally-identifiable information necessary to establish an account under this chapter, including without limitation the Social Security number and date of birth of each designated beneficiary or account owner necessary for the establishment of an account; and

(b) Protect the confidentiality of both the personally-identifiable information and applicable account details.