

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1752

5 By: Representative Maddox
6 By: Senator J. Boyd
7

For An Act To Be Entitled

8 AN ACT TO EXEMPT CERTAIN SAVINGS PLANS FROM THE
9 EXECUTION OF A JUDGMENT; AND FOR OTHER PURPOSES.
10

Subtitle

11 TO EXEMPT CERTAIN SAVINGS PLANS FROM THE
12 EXECUTION OF A JUDGMENT.
13

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
15

16 SECTION 1. Arkansas Code § 16-66-220 is amended to read as follows:
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18 16-66-220. Pension, ~~and~~ profit-sharing, retirement, and savings plans =
19 Definition.
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21 (a)(1) A person's right to the assets held in or to receive payments,
22 whether vested or not, under a pension, profit-sharing, or similar plan or
23 contract, including a retirement plan for self-employed individuals, or under
24 an individual retirement account or an individual retirement annuity,
25 including a simplified employee pension plan, is exempt from attachment,
26 execution, and seizure for the satisfaction of debts unless the plan,
27 contract, or account does not qualify under the applicable provisions of the
28 Internal Revenue Code of 1986.
29

30 (2) A person's right to the assets held in or to receive
31 payments, whether vested or not, under a government or church plan or
32 contract is also exempt unless the plan or contract does not qualify under
33 the definition of a government or church plan under the applicable provisions
34 of the federal Employee Retirement Income Security Act of 1974.
35

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



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

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

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

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

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

17 (i) A plan or account that is subject to federal
18 income tax solely under 26 U.S.C. §§ 511 - 514 as they existed on January 1,
19 2025;

20 (ii) An inherited individual retirement account or
21 annuity;

22 (iii) A health savings account;

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

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

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