

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: H3/13/25

A Bill

HOUSE BILL 1704

By: Representative Andrews

By: Senator A. Clark

For An Act To Be Entitled

AN ACT TO AMEND THE LAW REGARDING CHILD CUSTODY IN
MATTERS WHERE A PARENT IS A FIRST RESPONDER; AND FOR
OTHER PURPOSES.

Subtitle

TO AMEND THE LAW REGARDING CHILD CUSTODY
IN MATTERS WHERE A PARENT IS A FIRST
RESPONDER.

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

SECTION 1. Arkansas Code § 9-13-110 is amended to read as follows:

9-13-110. Parents who are members of armed forces or are first responders – Definitions.

(a) As used in this section:

(1) “Armed forces” means the National Guard and the reserve components of the armed forces, the United States Army, the United States Navy, the United States Marine Corps, the United States Coast Guard, the United States Air Force, and any other branch of the military and naval forces or auxiliaries of the United States or Arkansas; ~~and~~

(2) “First responder” means a firefighter, emergency medical technician, paramedic, or a certified law enforcement officer; and

~~(2)~~(3) “Mobilized parent” means a parent who:

(A) Is a member of the armed forces; and

(B) Is called to active duty or receives orders for duty

that is outside the state or country.

(b) A court shall not permanently modify an order for child custody or



visitation solely on the basis that one (1) of the parents is a mobilized parent or based upon the work schedule of a parent who is a first responder.

(c)(1) A court of competent jurisdiction shall determine whether a temporary modification to an order for child custody or visitation is appropriate for a child or children of a mobilized parent or a parent who is a first responder.

(2)(A) The determination under this subsection (c) includes *consideration of any ~~and all~~ circumstances that are necessary to maximize the ~~mobilized parent's~~ time and contact a mobilized parent has with his or her child that is consistent with the best interest of the child, including without limitation:*

~~(A)~~(1) The ordered length of the mobilized parent's call to active duty;

~~(B)~~(2) The mobilized parent's duty station or stations;

~~(C)~~(3) The opportunity that the mobilized parent will have for contact with the child through a leave, a pass, or other authorized absence from duty;

~~(D)~~(4) The contact that the mobilized parent has had with the child before the call to active military duty;

~~(E)~~(5) The nature of the military mission, if known; and

~~(F)~~(6) Any other factor that the court deems appropriate under the circumstances.

(B) The determination under this subsection includes consideration of any circumstances that are necessary to maximize the time and contact a parent who is a first responder has with his or her child that is consistent with the best interest of the child.

(d) This section shall not limit the power of a court of competent jurisdiction to permanently modify an order of child custody or visitation in the event that a parent volunteers for permanent military duty as a career choice regardless of whether the parent volunteered for permanent military duty while a member of the armed forces.

/s/Andrews

APPROVED: 3/25/25