

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

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: H3/17/17 H3/22/17
A Bill

HOUSE BILL 1943

By: Representative C. Douglas
By: Senator Collins-Smith

For An Act To Be Entitled

AN ACT TO PROHIBIT THE AWARD OF ALIMONY TO PERSONS
CONVICTED OF A DOMESTIC VIOLENCE OFFENSE; AND FOR
OTHER PURPOSES.

Subtitle

TO PROHIBIT THE AWARD OF ALIMONY TO
PERSONS CONVICTED OF A DOMESTIC VIOLENCE
OFFENSE.

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

SECTION 1. Arkansas Code § 9-12-312(a)(1), concerning an order of the court concerning the care of children and alimony when a divorce decree is entered, is amended to read as follows:

(a)(1)(A) When a decree is entered, the court shall make an order concerning the care of the children, if there are any, and an order concerning alimony, if applicable, as are reasonable from the circumstances of the parties and the nature of the case.

(B) A court may deny an award of alimony to a person convicted of an offense involving domestic violence against the payer spouse who is the victim of that crime or offense.

(C) In determining the nature, amount, and duration of an award of alimony, and whether a person is subject to subdivision (a)(1)(B) of this section, the court may consider the circumstances and factors that contributed to the dissolution of the marriage, specifically including any ground for divorce, and any other factors necessary to consider the equities



between the parties.

SECTION 2. Arkansas Code § 9-12-314(a), concerning the modification of an award of alimony, is amended to read as follows:

(a)(1) The court, upon application of either party, may make ~~such~~ alterations ~~from time to time, as~~ to the allowance of alimony and maintenance as may be proper and may order any reasonable sum to be paid for the support of the wife or the husband ~~during the pending of~~ while a complaint for a divorce is pending.

(2)(A) A court may terminate an alimony award if the recipient of the alimony award is subsequently convicted of an offense involving domestic violence against the payer spouse.

(B) In determining whether an alimony award under subdivision (a)(2)(A) of this section may be terminated, the court may consider the circumstances and factors that contributed to the dissolution of the marriage, specifically including any ground for divorce, and any other factors necessary to consider the equities between the parties.

/s/C. Douglas