

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

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

HOUSE BILL 1792

By: Representative Gazaway

By: Senator A. Clark

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE AWARD OF ALIMONY; TO EXPAND UPON WHAT MAY CONSTITUTE A SIGNIFICANT AND MATERIAL CHANGE IN CIRCUMSTANCES FOR REVIEW OR MODIFICATION OF AN ORDER FOR ALIMONY; TO LIMIT THE DURATION OF AN AWARD OF ALIMONY; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING WHAT MAY CONSTITUTE A SIGNIFICANT AND MATERIAL CHANGE IN CIRCUMSTANCES FOR REVIEW OR MODIFICATION OF AN ORDER FOR ALIMONY; AND TO LIMIT THE DURATION OF AN AWARD OF ALIMONY.

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

SECTION 1. Arkansas Code § 9-12-312(a)(7), concerning the right to petition the court for review or modification of an alimony order at any time based on a significant and material change of circumstances, is amended to read as follows:

(7)(A) Both a person paying alimony and a person receiving alimony are entitled to petition the court for a review, modification, or both of the court's alimony order at any time based upon a significant and material change of circumstances, including without limitation:

(i) The recipient's financial need has been



significantly reduced due to a child reaching the age of majority;

(ii) The recipient's financial situation has considerably improved since the date of divorce;

(iii) The recipient's standard of living exceeds that which he or she was accustomed to during the marriage;

(iv) The payor's ability to pay has significantly and involuntarily decreased due to disability, illness, loss of employment, or other causes; or

(v) The payor retires and is over sixty-five (65) years of age.

(B) Evidence of a party's inability to work because of disability shall include without limitation evidence provided by a medical professional.

SECTION 2. Arkansas Code § 9-12-312(a), concerning circumstances surrounding the award of alimony and child support, is amended to add an additional subdivision to read as follows:

(8) For all alimony orders entered on or after July 1, 2023, the liability for alimony shall be no more than fifty percent (50%) of the duration of the marriage.