

Act 507 of the 1989 Regular Session.

Act 507

HB1259

By: Representatives Mahony and Keet

"AN ACT TO AMEND TITLE 9, CHAPTER 14, SUBCHAPTER 2 OF THE ARKANSAS CODE OF 1987 TO REQUIRE CONTINUED PAYMENTS BY AN OBLIGOR IN AN AMOUNT EQUAL TO THE SUPPORT AMOUNT AFTER CHILDREN ARE EMANCIPATED TO RETIRE CHILD SUPPORT ARREARAGES; AND FOR OTHER PURPOSES."

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

SECTION 1. Title 9, Chapter 14, Subchapter 2 of the Arkansas Code of 1987 is hereby amended by adding a new subsection to read as follows:

"9-14-235. (a) All persons under a court order to pay child support shall continue to pay an amount equal to the child support amount after all children entitled to support reach majority, are emancipated, die, or when the obligor's current duty to pay child support otherwise ceases if a judgment or child support arrearage exists until such time as the judgment or arrearage has been satisfied.

(b) When the order of support directs an amount of support per child, as each child reaches majority, is emancipated, dies, or the obligor's current duty to pay support otherwise ceases, the obligor shall continue to pay the amount set as child support for that child if a judgment or child support arrearage exists until such time as the judgment or arrearage has been satisfied.

(c) Enforcement through income withholding already in effect when the obligor's current duty to pay support ceases, retention of unemployment benefits, workers compensation benefits, income tax intercept, additional payments ordered to be paid on judgment or child support arrearage or any other means of collection shall be available for the collection of a judgment or child support arrearage until such is satisfied.

(d) For purposes of termination of income withholding under 9-14-229(b) there shall exist a continuing support obligation until the judgment or child support arrearage has been satisfied.

(e) As used in this section "judgment" means unpaid child support, medical bills, interest, attorney fees or cost when such has been reduced to judgment by the court or become a judgement by operation of law.

(f) The purpose of this act is to allow the continuation of enforcement and collection of child support judgements and arrearages already in place at the time of the obligor's duty to pay support ceases. Enforcement through court proceedings of the continued payment of the support obligation amount to collect child support judgements and arrearages is prohibited."

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this act are hereby repealed.

APPROVED: March 13, 1989

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