

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Mahony**

A BILL ACT 1098 OF 1991
HOUSE BILL 1536

For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 9, CHAPTER 10, SUBCHAPTER 1 AND
9 CHAPTER 12, SUBCHAPTER 3 OF THE ARKANSAS CODE OF 1987 TO
10 PROVIDE FOR THE EXTENSION OF CHILD SUPPORT BEYOND THE
11 EIGHTEENTH BIRTHDAY UNDER CERTAIN CIRCUMSTANCES; AND FOR
12 OTHER PURPOSES."

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

16 SECTION 1. Arkansas Code §9-10-109(a) is hereby amended to read as
17 follows:

18 "(a) Subsequent to the finding by the court that the defendant is the
19 father of the child, the court shall follow the same guidelines, procedures,
20 and requirements as set forth in the laws of this state applicable to child
21 support orders and judgments entered by the chancery court as if it were a
22 case involving a child born of a marriage in awarding custody, visitation,
23 setting amounts of support costs and attorneys' fees, and directing payments
24 through the clerk of the court.

25 The court may provide for the payment of support beyond the eighteenth
26 birthday of the child to address the educational needs of a child whose
27 eighteenth birthday falls prior to graduation from high school *so long as such*
28 *support is conditional on the child remaining in school.* The court may also
29 provide for the continuation of support for a person suffering from a
30 handicapping condition which affects the ability of the person to live
31 independent from the custodial parent."

33 SECTION 2. Arkansas Code §9-12-312(a) is hereby amended by adding a new
34 paragraph to read as follows:

35 "(5) The court may provide for the payment of support beyond the
36 eighteenth birthday of the child to address the educational needs of a child

1 whose eighteenth birthday falls prior to graduation from high school *so long*
2 *as such support is conditional on the child remaining in school.* The court
3 may also provide for the continuation of support for a *person* suffering from a
4 handicapping condition which affects the ability of the *person* to live
5 independent from the custodial parent."

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7 SECTION 3. All provisions of this act of a general and permanent nature
8 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
9 Revision Commission shall incorporate the same in the Code.

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11 SECTION 4. If any provision of this act or the application thereof to
12 any person or circumstance is held invalid, such invalidity shall not affect
13 other provisions or applications of the act which can be given effect without
14 the invalid provision or application, and to this end the provisions of this
15 act are declared to be severable.

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17 SECTION 5. All laws and parts of laws in conflict with this act are
18 hereby repealed.

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/s/ J. Mahony

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APPROVED: 4/9/91

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