

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

A BILL ACT 367 OF 1991
HOUSE BILL 1252

For An Act To Be Entitled

8 "AN ACT TO ESTABLISH A CHANGE IN THE INCOME OF PAYOR AS A
9 CHANGED CIRCUMSTANCE FOR CHILD SUPPORT MODIFICATION; AND
10 FOR OTHER PURPOSES."

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

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14 SECTION 1. Upon application to a Court of Competent Jurisdiction
15 for the purpose of modification of a child support award, a change in income
16 of the payor in an amount equal to ten percent (10%) of income shall be
17 sufficient for a determination by the *presiding judge* of changed circumstances
18 to warrant a change in the child support obligated amount.

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20 SECTION 2. The term "income" includes gains, profits, and income
21 derived from salaries, wages, or compensation for personal service of whatever
22 kind and in whatever form paid, or from professions, vocations, trades,
23 business, commerce, sales, or dealings in property, whether real or personal,
24 growing out of the ownership of, use of, or interest in the property; from
25 interest, rent, royalties, dividends, annuities, securities, or the
26 transaction of any business carried on for gain or profit, or gains or profits
27 and income derived from any source whatever, and any payments of alimony and
28 separate maintenance received pursuant to a court order.

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

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34 SECTION 4. If any provision of this act or the application thereof to
35 any person or circumstance is held invalid, such invalidity shall not affect
36 other provisions or applications of the act which can be given effect without

1 the invalid provision or application, and to this end the provisions of this
2 act are declared to be severable.

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5 hereby repealed.

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7 SECTION 6. Emergency. It is hereby found and determined by the General
8 Assembly that it is in the best interest of the people of the State of
9 Arkansas that child support be collected, modified and enforced in the most
10 expedient manner for all children in this state; that the smooth transition
11 from current requirements to those of this act require that the provisions
12 become effective upon passage. Therefore, an emergency is hereby declared to
13 exist and this act being necessary for the preservation of the public peace,
14 health and safety shall be in full force and effect from and after its
15 passage.

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/s/Jodie Mahony

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APPROVED: 3-6-91

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