

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

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 9-12-315 TO PROVIDE THAT
9 SOCIAL SECURITY DISABILITY BENEFITS ARE NOT MARITAL
10 PROPERTY; AND 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. Arkansas Code 9-12-315(b) is hereby amended to read as
15 follows:

16 "(b) For the purpose of this section, "marital property" means all
17 property acquired by either spouse subsequent to the marriage except:

18 (1) Property acquired prior to marriage, or by gift, or by
19 bequest, or by devise, or by descent;

20 (2) Property acquired in exchange for property acquired prior to
21 the marriage or in exchange for property acquired by gift, bequest, devise, or
22 descent;

23 (3) Property acquired by a spouse after a decree of divorce from
24 bed and board;

25 (4) Property excluded by valid agreement of the parties;

26 (5) The increase in value of property acquired prior to marriage
27 or by gift, bequest, devise, or descent, or in exchange therefor;

28 (6) Benefits received or to be received from a workers'
29 compensation claim, personal injury claim, or social security claim when those
30 benefits are for any degree of permanent disability or future medical
31 expenses; and

32 (7) Income from property owned prior to the marriage, or from
33 property acquired by gift, bequest, devise, or descent, or in exchange
34 therefor."

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

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5 SECTION 3. If any provision of this act or the application thereof to
6 any person or circumstance is held invalid, such invalidity shall not affect
7 other provisions or applications of the act which can be given effect without
8 the invalid provision or application, and to this end the provisions of this
9 act are declared to be severable.

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12 hereby repealed.

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