

Stricken language would be deleted from present law. Underlined language would be added to present law.

As Engrossed: H2/3/97 H3/13/97

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4

A Bill

ACT 905 OF 1997
HOUSE BILL 1285

5 By: Representatives DeLay, Fuqua, Milum, Luker, Bond and Thomas
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For An Act To Be Entitled

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9 "AN ACT TO AMEND ARKANSAS CODE 9-13-101 CONCERNING THE
10 AWARD OF CUSTODY OF CHILDREN IN A DIVORCE; AND FOR OTHER
11 PURPOSES."
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Subtitle

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14 "AN ACT CONCERNING THE AWARD OF CUSTODY
15 OF CHILDREN IN A DIVORCE."
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code 9-13-101 is amended to read as follows:

20 "9-13-101. Award of custody.

21 (a) In an action for divorce, the award of custody of the children of
22 the marriage shall be made without regard to the sex of the parent, but solely
23 in accordance with the welfare and best interests of the children.

24 (b) When in the best interests of a child, custody shall be awarded in
25 such a way so as to assure the frequent and continuing contact of the child
26 with both parents. To this effect, in making an order for custody to either
27 parent, the court may consider, among other facts, which parent is more likely
28 to allow the child or children frequent and continuing contact with the
29 noncustodial parent."
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31 SECTION 2. All provisions of this act of a general and permanent nature
32 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
33 Revision Commission shall incorporate the same in the Code.
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35 SECTION 3. If any provision of this act or the application thereof to
36 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the act which can be given effect without
2 the invalid provision or application, and to this end the provisions of this
3 act are declared to be severable.

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6 hereby repealed.

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/s/Rep. DeLay et al

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APPROVED:3-28-97

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