State of Arkansas 1 As Engrossed: H3/26/99 A Bill 2 82nd General Assembly Act 1484 of 1999 3 Regular Session, 1999 HOUSE BILL 1978 4 5 By: Representative Womack 6 7 For An Act To Be Entitled 8 "AN ACT TO AMEND ARKANSAS CODE 5-26-401 (b) CONCERNING 9 THE PENALTIES FOR NONSUPPORT; AND FOR OTHER PURPOSES." 10 11 **Subtitle** 12 "AN ACT CONCERNING THE PENALTIES FOR 13 NONSUPPORT. " 14 15 16 17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS: 18 SECTION 1. Arkansas Code 5-26-401 (b) is amended to read as follows: 19 20 "(b)(1) Nonsupport is a Class A misdemeanor, except that it is a Class D felony if: 21 22 (A) The person leaves or remains without the State of Arkansas for more than thirty (30) days while a current duty of support is 23 unpaid; provided, it is an affirmative defense to a charge under this section 24 that the defendant did not leave or remain outside the state with the purpose 25 of avoiding the payment of support; 26 27 (B) The person has previously been convicted of nonsupport; 28 or 29 (C) The person owes more than five thousand dollars (\$5,000) two thousand five hundred dollars (\$2,500) in past-due child support, 30 pursuant to a court order or by operation of law, and the amount represents at 31 least four (4) months of past-due child support. 32 (2) Nonsupport is a Class C felony if the person owes more than 33 ten thousand dollars (\$10,000) but less than twenty-five thousand dollars 34 (\$25,000) in past-due child support, pursuant to a court order or by operation 35 of law. 36

\*LAM461\*

As Engrossed: H3/26/99 HB1978

1	$\frac{(2)}{(3)}$ Nonsupport is a Class B felony if the person owes more
2	than twenty-five thousand dollars (\$25,000) in past-due child support,
3	pursuant to a court order or by operation of law."
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5	SECTION 2. All provisions of this act of a general and permanent nature
6	are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
7	Revision Commission shall incorporate the same in the Code.
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9	SECTION 3. If any provision of this act or the application thereof to
10	any person or circumstance is held invalid, such invalidity shall not affect
11	other provisions or applications of the act which can be given effect without
12	the invalid provision or application, and to this end the provisions of this
13	act are declared to be severable.
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15	SECTION 4. All laws and parts of laws in conflict with this act are
16	hereby repealed.
17	/s/ Womack
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20	APPROVED: 4/15/1999
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