

1 State of Arkansas  
2 79th General Assembly  
3 Regular Session, 1993  
4 By: Senator Hopkins

# A Bill

ACT 326 OF 1993  
SENATE BILL 238

## For An Act To Be Entitled

8 "AN ACT TO REQUIRE THAT AN OBLIGATION TO PAY CHILD SUPPORT  
9 SHALL EXPIRE BY OPERATION OF LAW UNDER CERTAIN CONDITIONS;  
10 THAT THE COURT SHALL REASSESS CHILD SUPPORT OBLIGATIONS  
11 FOR OTHER CHILDREN WHEN AN OBLIGOR\_S DUTY TO PAY SUPPORT  
12 FOR A CHILD EXPIRES; AND FOR OTHER PURPOSES."

### Subtitle

14 "TO REQUIRE THAT OBLIGATIONS TO PAY CHILD  
15 SUPPORT SHALL EXPIRE BY OPERATION OF LAW UNDER  
16 CERTAIN CONDITIONS."  
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18  
19 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:**

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21 **SECTION 1. (a) An obligor\_s duty to pay child support for a child shall automatically**  
22 ***terminate*** by operation of law when the child reaches *eighteen (18) years of age* or should have  
23 *graduated from high school, whichever is later, or the child is emancipated by a court of*  
24 *competent jurisdiction, marries, or dies, unless the court order for child support specifically*  
25 *extends child support after such circumstances; provided, however, that any unpaid child*  
26 *support obligations owed under a judgment or in arrearage pursuant to a child support order*  
27 *shall be satisfied pursuant to §9-14-235.*

28 **(b) If the obligor has additional child support obligations after the duty to pay support**  
29 **for a child *terminates*, the court shall reassess the remaining obligations using the Family**  
30 **Support Chart pursuant to § 9-12-312(a)(2). *In the event a review is requested, the court***  
31 ***shall apply the child support chart for the remaining number of children from the date of the***  
32 ***termination of the duty subject to any changed circumstances, which shall be noted in writing***  
33 ***by the court. The obligor shall provide written notification of the termination of the duty to***  
34 ***support to the clerk of the court responsible for receipt of the child support payments, the***  
35 ***obligor's employer, if income withholding is in effect, the Child Support Enforcement Unit, if***  
36 ***applicable, within ten (10) days of the termination of the duty of support.***

1           **(c) Any action filed for arrearages in child support that accrued after a child turned**  
2 **eighteen (18) or graduated from high school, whichever was later, or the child was**  
3 **emancipated *by a court of competent jurisdiction, married, or died, and such support***  
4 **obligation accrued prior to the effective date of this act, unless modified by a court of**  
5 **competent jurisdiction, must be brought within one (1) year of the effective date of this act;**  
6 **provided that this subsection shall in no way be interpreted to lengthen the five (5) year statute**  
7 **of limitations pursuant to §9-14-236(c).**

8           **(d) No statute of limitation shall apply to an action brought for the collection of a child**  
9 **support obligation or arrearage against any party who leaves or remains outside the State of**  
10 **Arkansas with the purpose to avoid the payment of child support.**

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

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16           **SECTION 3. If any provision of this act or the application thereof to any person or**  
17 **circumstance is held invalid, such invalidity shall not affect other provisions or applications of**  
18 **the act which can be given effect without the invalid provision or application, and to this end**  
19 **the provisions of this act are declared to be severable.**

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

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*/s/ Senator Hopkins*

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**APPROVED: 03/03/93**

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