As Engrossed: 3/31/95 4/7/95

1	State of Arkansas
2	80th General Assembly <b>ABIII</b> ACT 1353 OF 1995
3	Regular Session, 1995HOUSE BILL2128
4	By: Representative Vess
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6	
7	For An Act To Be Entitled
8	"AN ACT TO AMEND ARKANSAS CODE SECTION 9-12-312 TO PROVIDE
9	THAT LIABILITY FOR ALIMONY SHALL CEASE UPON JUDICIAL
10	DETERMINATION REQUIRING THE PARTY RECEIVING ALIMONY TO
11	PROVIDE SUPPORT OF ANOTHER ADULT PERSON UNLESS OTHERWISE
12	ORDERED BY THE COURT OR AGREED TO BY THE PARTIES; AND FOR
13	OTHER PURPOSES."
14	
15	Subtitle
16	"TO PROVIDE THAT LIABILITY FOR ALIMONY
17	SHALL CEASE UPON COHABITATION OF THE
18	PARTY RECEIVING ALIMONY TO PROVIDE
19	SUPPORT OF ANOTHER ADULT PERSON UNLESS
20	OTHERWISE ORDERED BY THE COURT OR AGREED
21	TO BY THE PARTIES."
22	
23	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25	SECTION 1. Arkansas code 9-12-312(a)(1) is amended to read as follows:
26	"(a)(1) When a decree is entered, the court shall make such orders
27	concerning the alimony of the wife or the husband and care of the children, if
28	there are any, as are reasonable from the circumstances of the parties and the
29	nature of the case. Unless otherwise ordered by the court or agreed to by the
30	parties, the liability for alimony shall automatically cease upon the earlier
31	of:
32	(A) the date of the remarriage of the person who was awarded the
33	alimony; or
34	(b) the establishment of a relationship that produces a child or
35	children and results in a court order directing another person to pay support
36	to the recipient of alimony, which circumstances shall be considered the

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1 equivalent of remarriage; or
         (c) the establishment of a relationship that produces a child or
 2
 3 children and results in a court order directing the recipient of alimony to
 4 provide support of another person who is not a descendant by birth or
 5 adoption, which circumstances shall be considered the equivalent of
 6 remarriage."
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         SECTION 2. The provisions of this act shall apply to payments of
 9 alimony due after the effective date hereof.
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         SECTION 3. All provisions of this act of a general and permanent nature
12 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
13 Revision Commission shall incorporate the same in the Code.
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         SECTION 4. If any provision of this act or the application thereof to
16 any person or circumstance is held invalid, such invalidity shall not affect
17 other provisions or applications of the act which can be given effect without
18 the invalid provision or application, and to this end the provisions of this
19 act are declared to be severable.
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         SECTION 5. All laws and parts of laws in conflict with this act are
22 hereby repealed.
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                                    /s/Rep. Vess
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                  BECAME LAW WITHOUT GOVERNOR'S SIGNATURE: 4-19-95
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