

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 654 of the Regular Session

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

As Engrossed: H3/7/07

**A Bill**

HOUSE BILL 2649

5 By: Representatives E. Brown, Pennartz, Walters, Greenberg  
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**For An Act To Be Entitled**

9 AN ACT TO AMEND ARKANSAS CODE § 9-10-113  
10 CONCERNING THE CUSTODY OF A *CHILD BORN OUTSIDE OF*  
11 *MARRIAGE*; AND FOR OTHER PURPOSES.  
12

**Subtitle**

13 *TO AMEND ARKANSAS CODE § 9-10-113*  
14 *CONCERNING THE CUSTODY OF A CHILD BORN*  
15 *OUTSIDE OF MARRIAGE.*  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 9-10-113 is amended to read as follows:

22 9-10-113. Custody of ~~illegitimate~~ child born outside of marriage.

23 (a) When a child is born to an unmarried woman, legal custody of that  
24 child shall be in the woman giving birth to the child until the child reaches  
25 the age of eighteen (18) years unless a court of competent jurisdiction  
26 enters an order placing the child in the custody of another party.

27 (b) A biological father, provided he has established paternity in a  
28 court of competent jurisdiction, may petition the circuit court in the county  
29 where the child resides for custody of the child.

30 (c) The court may award custody to the biological father upon a  
31 showing that:

32 (1) He is a fit parent to raise the child;

33 (2) He has assumed his responsibilities toward the child by  
34 providing care, supervision, protection, and financial support for the child;  
35 and



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(3) It is in the best interest of the child to award custody to the biological father.

(d) When in the best interest of a child, visitation shall be awarded in a way that assures the frequent and continuing contact of the child with the mother and the biological father.

*/s/ E. Brown, et al*

**APPROVED: 3/28/2007**