

Hall of the House of Representatives
91st General Assembly - Regular Session, 2017
Amendment Form

Subtitle of House Bill No. 1959

TO AMEND THE LAW CONCERNING ALIMONY SUPPORT.

Amendment No. 1 to House Bill No. 1959

Amend House Bill No. 1959 as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 9-12-312(b), concerning the award of rehabilitative alimony support, is amended to read as follows:

(b)(1)(A) Alimony may be awarded under proper circumstances concerning rehabilitation to either party in fixed installments for a specified period of time so that the payments qualify as periodic payments within the meaning of the Internal Revenue Code.

(B) The purpose of rehabilitative alimony is to help the recipient become self-supporting.

(2) When a request for rehabilitative alimony or a request to modify an existing alimony support order is made to the court, the payor may request or the court may require the recipient to provide a plan of rehabilitation for the court to consider in determining:

(A) Whether or not the plan is feasible; and

(B) The amount and duration of the award.

(3) If the recipient fails to meet the requirements of the rehabilitative plan, the payor may petition the court for a review to determine if rehabilitative alimony shall continue or be modified.

(4) A person paying alimony is entitled to petition the court for a review, modification, or both of the court's alimony order at any time based upon a significant and material change of circumstances.

(5) A payor may request that the recipient of the award provide a plan of rehabilitation under subdivision (b)(2) of this section.

(6) An award of alimony shall not exceed:

(A) Twenty percent (20%) of the net income of the payor when marital property is divided fifty-fifty (50/50) by court order; or

(B) Ten percent (10%) of the net income of the payor when the payor retires and is sixty-two (62) years of age or older.

(7)(A) A court order awarding alimony may provide support for up to three (3) years from the date the divorce is granted.

(B) A recipient of alimony may petition the court to extend the award of alimony within six (6) months of the expiration of the initial award of alimony.



(8) Evidence of the recipient's inability to return to work because of a disability may include, without limitation, testimony from a medical professional who is qualified to testify as a rehabilitation expert.

(9) As used in this section, "payor" means a person who pays an award of alimony to an ex-spouse recipient of the award."

The Amendment was read _____
By: Representative Ballinger
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Chief Clerk