

1 INTERIM STUDY PROPOSAL 2017-061

2 State of Arkansas  
3 91st General Assembly  
4 Regular Session, 2017

As Engrossed: S3/20/17

**A Bill**

SENATE BILL 777

5  
6 By: Senator L. Chesterfield

7 Filed with: Senate Committee on Judiciary  
8 pursuant to A.C.A. §10-3-217.

9 **For An Act To Be Entitled**

10 AN ACT TO AMEND THE LAW CONCERNING CHILD CUSTODY; AND  
11 FOR OTHER PURPOSES.

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13  
14 **Subtitle**

15 TO AMEND THE LAW CONCERNING CHILD  
16 CUSTODY.

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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 § 9-13-101, concerning the award of custody*  
22 *of a child, is amended to add an additional subsection to read as follows:*

23 *(f)(1) In all child custody cases, a child who is fourteen (14) years*  
24 *of age or older shall have the right to select the parent whom the child*  
25 *desires to be awarded custody of him or her.*

26 *(2) A child may select a custodial parent under this subsection*  
27 *no more than one (1) time every two (2) years from the date of the previous*  
28 *selection.*

29 *(3) A child's selection under this subsection is presumptive of*  
30 *the best interest of the child unless the court determines after considering*  
31 *other factors that an award of custody to the parent selected by the child is*  
32 *not in the best interest of the child.*

33 *(4) A child's selection under this subsection is insufficient to*  
34 *constitute a material change in circumstances in an action seeking a*  
35 *modification of the custody of the child.*  
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*/s/L. Chesterfield*

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Referred by the Arkansas Senate

Prepared by: VJF