

State of Arkansas

76th General Assembly

Regular Session, 1987

HOUSE BILL 1726

By: Reps. Matthews and McJunkin

"AN ACT TO AMEND SECTION 1 OF ACT 25 OF 1941, AS AMENDED [ARK. STAT. 34-1210], TO PROVIDE UNPAID CHILD SUPPORT SHALL ACCRUE INTEREST AT A RATE OF TEN PERCENT (10%); TO PROVIDE AN ATTORNEY'S FEE OF TEN PERCENT (10%) OF THE AMOUNT DUE UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Section 1 of Act 25 of 1941, as amended, the same being Arkansas Statute 34-1210, is hereby amended to read as follows:

"Section 1. (A) During the pendency of an action for divorce, whether absolute or from bed and board, separate maintenance, or alimony, the court may allow to the wife or to the husband maintenance and a reasonable fee for her or his attorneys, and enforce the payment of the same by orders and executions and proceedings as in cases of contempt, and may immediately reduce the sums so ordered to judgment and allow the party to execute upon the marital property for the payment of same except that the homestead shall not be executed upon for the payment of the sums so ordered. The court may allow either party additional attorney's fees for the enforcement of alimony, maintenance and support provided for in the decree.

(B) All child support which becomes due and remains unpaid shall accrue interest at the rate of ten percent (10%) per annum.

(C) The court shall award a minimum of ten percent (10%) of the support amount due as attorneys' fees in actions for the enforcement of payment of alimony, maintenance and support provided for in the decree, judgment or order.

(D) Collection of interest and attorneys' fees may be by executions, proceedings of contempt or such other remedies as may be available to collect the original support award."

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

