

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

SENATE BILL

493

By: Senator Dowd

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE ANNOTATED 9-12-301 TO DECREASE FROM THREE (3) YEARS TO ONE (1) YEAR THE LENGTH OF VOLUNTARY SEPARATION WHICH CONSTITUTES GROUNDS FOR DIVORCE AND TO ELIMINATE ONE (1) YEAR WILLFUL DESERTION AS GROUNDS FOR DIVORCE; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code Annotated 9-12-301(6) is hereby amended to read as follows:

"(6) Where husband and wife have lived separate and apart from each other for one (1) continuous year, without cohabitation, the court shall grant an absolute decree of divorce at the suit of either party, whether such separation was the voluntary act of one party or by the mutual consent of both parties or due to the fault of either party or both parties;"

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. Arkansas Code Annotated 9-12-301(2) and all laws and parts of laws in conflict herewith are hereby repealed.

SECTION 4. EMERGENCY. It is hereby found and determined by the General Assembly that it is vital to the social structure of the state that laws be established for the protection of domestic relations and that only by the immediate passage of this act may this be accomplished. Therefore, an emergency is hereby declared to exist and this act being necessary for the preservation of the public peace, health and safety shall be in full force and

effect from and after its passage and approval.