

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Beatty**

A Bill

HOUSE BILL 1907

For An Act To Be Entitled

8 "AN ACT TO GRANT THE CHANCERY COURT DISCRETION IN DIVORCE
9 CASES TO DISPOSE OF ESTATES BY THE ENTIRETY WHEN ONE OF
10 THE PARTIES HAS BEEN CONVICTED OF A FELONY; AND FOR OTHER
11 PURPOSES."

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

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15 SECTION 1. Notwithstanding Arkansas Code 9-12-317 or any other law to
16 the contrary, when one of the parties to the estate by the entirety has been
17 found guilty or has plead guilty or nolo contendere to a felony *during the*
18 *marriage and within three (3) years of filing the complaint for divorce* and
19 the other party to the divorce did not benefit from the felony, the Chancellor
20 may award the property to the spouse who did not commit the felony or to both
21 parties in any proportion deemed equitable by the Chancellor.

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

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27 SECTION 3. If any provision of this Act or the application thereof to
28 any person or circumstance is held invalid, such invalidity shall not affect
29 other provisions or applications of the Act which can be given effect without
30 the invalid provision or application, and to this end the provisions of this
31 Act are declared to be severable.

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33 SECTION 4. All laws and parts of laws in conflict with this Act are
34 hereby repealed.

/s/ D. Beatty