

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

HOUSE BILL 1023

4 By: Representative M. Wilson
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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED §§9-12-301(6) AND
9 9-12-307(a)(1)(A) CHANGING TO TWELVE (12) MONTHS THE TIME
10 OF CONTINUOUS SEPARATION WHICH MUST BE PROVED FOR GRANTING
11 A DECREE OF DIVORCE; AND FOR OTHER PURPOSES."
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Subtitle

13 "TO CHANGE TO TWELVE MONTHS THE TIME OF
14 CONTINUOUS SEPARATION FOR GRANTING A
15 DECREE OF DIVORCE"
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code Annotated §9-12-301(6) is amended to read as
21 follows:

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

27 SECTION 2. Arkansas Code Annotated 9-12-307(a)(1)(A) is amended to
28 read as follows:

29 "(A) No decree of divorce, however, shall be granted until at least
30 thirty (30) days have elapsed from the date of the filing of the complaint
31 except where the ground for divorce is wilful desertion for one (1) year
32 without reasonable cause or continuous separation for twelve (12) months
33 without cohabitation."
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35 SECTION 3. All provisions of this act of a general and permanent

1 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
2 Code Revision Commission shall incorporate the same in the Code.

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4 *SECTION 4.* If any provision of this act or the application thereof to
5 any person or circumstance is held invalid, such invalidity shall not affect
6 other provisions or applications of the act which can be given effect without
7 the invalid provision or application, and to this end the provisions of this
8 act are declared to be severable.

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10 *SECTION 5.* All laws and parts of laws in conflict with this act are
11 hereby repealed.

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/s/M. Wilson

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