

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995  
4 By: Representative Vess

# A Bill

HOUSE BILL 2128

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE SECTION 9-12-312 TO PROVIDE  
9 THAT LIABILITY FOR ALIMONY SHALL CEASE UPON *JUDICIAL*  
10 *DETERMINATION REQUIRING* THE PARTY RECEIVING ALIMONY *TO*  
11 *PROVIDE SUPPORT OF ANOTHER ADULT PERSON* UNLESS OTHERWISE  
12 ORDERED BY THE COURT OR AGREED TO BY THE PARTIES; AND FOR  
13 OTHER PURPOSES."

## Subtitle

16 "TO PROVIDE THAT LIABILITY FOR ALIMONY  
17 SHALL CEASE UPON COHABITATION OF THE  
18 PARTY RECEIVING ALIMONY *TO PROVIDE*  
19 *SUPPORT OF ANOTHER ADULT PERSON* UNLESS  
20 OTHERWISE ORDERED BY THE COURT OR AGREED  
21 TO BY THE PARTIES."

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

25 SECTION 1. Arkansas code 9-12-312(a)(1) is amended to read as follows:

26 "(a)(1) When a decree is entered, the court shall make such orders  
27 concerning the alimony of the wife or the husband and care of the children,  
28 if there are any, as are reasonable from the circumstances of the parties and  
29 the nature of the case. Unless otherwise ordered by the court or agreed to by  
30 the *parties, the liability for alimony shall automatically cease upon the*  
31 *earlier of:*

32 (A) *the date of the remarriage of the person who was awarded the*  
33 *alimony; or*

34 (b) *the establishment of a relationship that produces a child or*  
35 *children and results in a court order directing another person to pay support*

1 to the recipient of alimony, which circumstances shall be considered the  
2 equivalent of remarriage; or

3 (c) the establishment of a relationship that produces a child or  
4 children and results in a court order directing the recipient of alimony to  
5 provide support of another person who is not a descendant by birth or  
6 adoption, which circumstances shall be considered the equivalent of  
7 remarriage."

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9 SECTION 2. The provisions of this act shall apply to payments of  
10 alimony due after the effective date hereof.

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12 SECTION 3. All provisions of this act of a general and permanent  
13 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
14 Code Revision Commission shall incorporate the same in the Code.

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16 SECTION 4. If any provision of this act or the application thereof to  
17 any person or circumstance is held invalid, such invalidity shall not affect  
18 other provisions or applications of the act which can be given effect without  
19 the invalid provision or application, and to this end the provisions of this  
20 act are declared to be severable.

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22 SECTION 5. All laws and parts of laws in conflict with this act are  
23 hereby repealed.

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26 /s/Rep. Vess

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