

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

As Engrossed: H3/26/99

# A Bill

HOUSE BILL 1978

5 By: Representative Womack  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 5-26-401 (b) CONCERNING  
10 THE PENALTIES FOR NONSUPPORT; AND FOR OTHER PURPOSES."

## Subtitle

11  
12 "AN ACT CONCERNING THE PENALTIES FOR  
13 NONSUPPORT."  
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16  
17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code 5-26-401 (b) is amended to read as follows:

20 "(b)(1) Nonsupport is a Class A misdemeanor, except that it is a Class  
21 D felony if:

22 (A) The person leaves or remains without the State of  
23 Arkansas for more than thirty (30) days while a current duty of support is  
24 unpaid; provided, it is an affirmative defense to a charge under this section  
25 that the defendant did not leave or remain outside the state with the purpose  
26 of avoiding the payment of support;

27 (B) The person has previously been convicted of nonsupport;  
28 or

29 (C) The person owes more than ~~five thousand dollars~~  
30 ~~(\$5,000)~~ two thousand five hundred dollars (\$2,500) in past-due child support,  
31 pursuant to a court order or by operation of law, and the amount represents at  
32 least four (4) months of past-due child support.

33 (2) Nonsupport is a Class C felony if the person owes more than  
34 ten thousand dollars (\$10,000) but less than twenty-five thousand dollars  
35 (\$25,000) in past-due child support, pursuant to a court order or by operation  
36 of law.

1           ~~(2)~~ (3) Nonsupport is a Class B felony if the person owes more  
 2 than twenty-five thousand dollars (\$25,000) in past-due child support,  
 3 pursuant to a court order or by operation of law.”  
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5           SECTION 2. All provisions of this act of a general and permanent nature  
 6 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
 7 Revision Commission shall incorporate the same in the Code.  
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9           SECTION 3. If any provision of this act or the application thereof to  
 10 any person or circumstance is held invalid, such invalidity shall not affect  
 11 other provisions or applications of the act which can be given effect without  
 12 the invalid provision or application, and to this end the provisions of this  
 13 act are declared to be severable.  
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15          SECTION 4. All laws and parts of laws in conflict with this act are  
 16 hereby repealed.  
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*/s/ Womack*

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