

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

As Engrossed: S3/11/99

A Bill

SENATE BILL 509

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5 By: Senator Hopkins
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For An Act To Be Entitled

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9 "AN ACT TO AMEND ARKANSAS CODE 9-14-237 CONCERNING THE
10 ADJUSTMENT OF CHILD SUPPORT OBLIGATIONS REMAINING WHEN
11 THE OBLIGATION FOR ONE (1) CHILD EXPIRES; AND FOR
12 OTHER PURPOSES. "
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Subtitle

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15 "AN ACT CONCERNING THE ADJUSTMENT OF
16 CHILD SUPPORT OBLIGATIONS REMAINING WHEN
17 THE OBLIGATION FOR ONE (1) CHILD
18 EXPIRES. "
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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23 *Arkansas Code 9-14-237 is amended to read as follows:*

24 *"9-14-237. Expiration of child support obligation.*

25 *(a)(1) An obligor's duty to pay child support for a child shall*
26 *automatically terminate by operation of law when the child reaches eighteen*
27 *(18) years of age or should have graduated from high school, whichever is*
28 *later, or when the child is emancipated by a court of competent jurisdiction,*
29 *marries, or dies, unless the court order for child support specifically*
30 *extends child support after such circumstances.*

31 *(2) Provided, however, that any unpaid child support obligations*
32 *owed under a judgment or in arrearage pursuant to a child support order shall*
33 *be satisfied pursuant to § 9-14-235.*

34 *(b)(1) If the obligor has additional child support obligations after*
35 *the duty to pay support for a child terminates, ~~the court shall reassess the~~*
36 *~~remaining obligations~~ then either the obligor, custodial parent, physical*

1 custodian, or the Office of Child Support Enforcement may, within thirty (30)
2 days subsequent to the expiration of the ten (10) day period allowed for the
3 notification as provided in subsection (b) (3) herein, file a motion with a
4 court of competent jurisdiction requesting that the court determine the amount
5 of the child support obligation for the remaining children.

6 (2) The remaining obligations shall, subsequent to the expiration
7 of the thirty (30) day period contained in subsection (b) (1), adjusted by
8 operation of law to an amount to be determined by using the most recent
9 version of the family support chart pursuant to § 9-12-312(a)(2) for any
10 remaining children for whom an obligation for child support exists.

11 (3) If the most recent child support order either was entered
12 prior to the adoption of the family support chart by the Arkansas Supreme
13 Court, or, the support amount, as indicated by the order, deviated from the
14 family support chart, then the issue of the amount of the obligor's child
15 support obligation shall be decided by a court of competent jurisdiction.

16 ~~(2)~~ (4) In the event a review is requested, the court shall apply
17 the family support chart for the remaining number of children from the date of
18 the termination of the duty, subject to any changed circumstances, which shall
19 be noted in writing by the court. Deviation from the family support chart
20 shall be noted in the court order, or on the record as appropriate.

21 ~~(3)~~ (5) The obligor shall provide written notification of the
22 termination of the duty of support to the custodial parent, physical
23 custodian, the clerk of the court responsible for receipt of the child support
24 payments, the obligor's employer, if income withholding is in effect, and the
25 Office of Child Support Enforcement, if applicable, within ten (10) days of
26 the termination of the duty of support. The obligor shall enclose with the
27 written notification of termination a copy of the most recent child support
28 order. The notification shall state the name and age of each child for whom
29 the obligation to pay child support has ceased, and the name and age of
30 children set out in prior terminations of child support made pursuant to this
31 subsection.

32 (c) No statute of limitations shall apply to an action brought for the
33 collection of a child support obligation of arrearage against any party who
34 leaves or remains outside the state of Arkansas with the purpose to avoid the
35 payment of child support."

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

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5 SECTION 3. If any provision of this act or the application thereof to
6 any person or circumstance is held invalid, such invalidity shall not affect
7 other provisions or applications of the act which can be given effect without
8 the invalid provision or application, and to this end the provisions of this
9 act are declared to be severable.

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11 SECTION 4. All laws and parts of laws in conflict with this act are
12 hereby repealed.

13 /s/ Hopkins
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