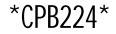
Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1	State of Arkansas	As Engrossed: H3/20/01 H4/5/01 S4/11/01			
2	83rd General Assembly	A Bill			
3	Regular Session, 2001HOUSE BILL2		2654		
4					
5	By: Representative Cleveland				
6					
7					
8	For An Act To Be Entitled				
9	AN ACT TO PROVIDE FOR A NOTICE OF THE TERMINATION				
10	OF PARENTAL RIGHTS UPON NON-PAYMENT OF CHILD				
11	SUPPORT AND NON-VISITATION OF THE CHILD FOR A				
12	PERIOD OF AT LEAST ONE YEAR; AND FOR OTHER				
13	PURPOS	ES.			
14					
15		Subtitle			
16	TO PROVIDE FOR A NOTICE OF THE				
17	TERMINATION OF PARENTAL RIGHTS UPON NON-				
18	PAYMENT OF CHILD SUPPORT AND NON-				
19	VISITATION OF THE CHILD FOR A PERIOD OF				
20	AT	LEAST ONE YEAR.			
21					
22					
23	BE IT ENACTED BY THE	GENERAL ASSEMBLY OF THE STATE OF ARKAN	ISAS:		
24					
25	SECTION 1. Ari	kansas Code 9-9-220(c) is amended to re	ead as follows:		
26	(c) In addition to any other proceeding provided by law, the				
27	relationship of parent and child may be terminated by a court order issued				
28	under this subchapter on any ground provided by other law for termination of				
29	the relationship, or on the following grounds:				
30	(1) Abandonment;				
31	(A) A child support order shall provide notice to the non-				
32	custodial parent that failure to pay child support or to visit the child for				
33	at least one (1) year shall provide the custodial parent with the right to				
34	initiate proceedings to terminate the parental rights of the non-custodial				
35	parent.				
36	<u>(B</u>) If the notification clause required	by subdivision	1	



1	(c)(1)(A) is not in the child support order, the custodial parent, prior to
2	termination of parental rights, shall notify the non-custodial parent that he
3	or she intends to petition the court to terminate parental rights.
4	(C)(1) The non-custodial parent shall have three (3)
5	months from the filing of the petition to pay a substantial amount of past
6	due payments owed and to establish a relationship with his or her child or
7	children.
8	(2) Once the requirements under subdivision
9	(c)(1)(C)(1) are met, the custodial parent shall not be permitted to proceed
10	with the adoption nor the termination of parental rights of the non-custodial
11	parent.
12	(3) The court may terminate parental rights of the
13	non-custodial parent upon a showing that:
14	(i) Child support payments have not been made
15	for one (1) year or the non-custodial parent has not visited the child in the
16	preceding year and the non-custodial parent has not fulfilled the
17	requirements of subdivision (c)(1)(C)(1); and
18	(ii) It would be in the best interest of the
19	child to terminate the parental relationship.
20	(2) Neglect or abuse, when the court finds the causes are
21	irremediable or will not be remedied by the parent.
22	(A) If the parents have failed to make reasonable efforts
23	to remedy the causes and such failure has occurred for twelve (12) months,
24	such failure shall raise the rebuttable presumption that the causes will not
25	be remedied.
26	(B) If the parents have attempted to remedy the causes but
27	have failed to do so within twelve (12) months, and the court finds there is
28	no reasonable likelihood the causes will be remedied by the eighteenth month,
29	such failures shall raise the rebuttable presumption that the causes will not
30	be remedied.
31	(3) That in the case of a parent not having custody of a child,
32	his consent is being unreasonably withheld contrary to the best interest of
33	the child.
34	/s/ Cl evel and
35	
36	

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