

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
2 85th General Assembly
3 Regular Session, 2005
4

A Bill

HOUSE BILL 1355

5 By: Representatives D. Johnson, D. Evans
6
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For An Act To Be Entitled

9 AN ACT CONCERNING DRUG TESTING DURING A
10 PROCEEDING RELATED TO A DIVORCE, CHILD CUSTODY,
11 VISITATION, OR THE WELFARE OF A CHILD; AND FOR
12 OTHER PURPOSES.
13

Subtitle

14 AN ACT CONCERNING DRUG TESTING DURING A
15 PROCEEDING RELATED TO A DIVORCE, CHILD
16 CUSTODY, VISITATION, OR THE WELFARE OF A
17 CHILD.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code Title 9, Chapter 12, Subchapter 3 is amended
24 to add an additional section to read as follows:

25 9-12-324. Drug testing – Proceedings concerning divorce, child
26 custody, visitation, or the welfare of a child.

27 (a) For purposes of this section, “drug” means any controlled
28 substance as defined by the Uniform Controlled Substances Act, § 5-64-101 et
29 seq.

30 (b) In a proceeding concerning divorce, child custody, child
31 visitation, or the welfare of a child, the court may order drug testing of a
32 party upon application of a party or by its own motion.

33 (c) If drug testing is conducted upon application of a party, the
34 court may assess the cost of the drug testing:

35 (1) To the moving party if the drug testing reveals no evidence
36 of illegal drug use; or



1 (2) To the party subject to the drug test if drug testing
2 reveals evidence of illegal drug use by the party.

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