

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

A Bill

HOUSE BILL 1915

5 By: Representative Ballinger
6

For An Act To Be Entitled

8 TO AMEND THE LAW CONCERNING ALIMONY SUPPORT; AND FOR
9 OTHER PURPOSES.

Subtitle

12 TO AMEND THE LAW CONCERNING ALIMONY
13 SUPPORT.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 9-12-312(b), concerning the award of
20 rehabilitative alimony support, is amended to read as follows:

21 (b)(1)(A) Alimony may be awarded under proper circumstances concerning
22 rehabilitation to either party in fixed installments for a specified period
23 of time so that the payments qualify as periodic payments within the meaning
24 of the Internal Revenue Code.

25 (B) The purpose of rehabilitative alimony is to help the
26 recipient to become self supporting.

27 (2) When a request for rehabilitative alimony or a request to
28 modify an existing alimony support order is made to the court, the payor may
29 request or the court may require the recipient to provide a plan of
30 rehabilitation for the court to consider in determining:

31 (A) Whether or not the plan is feasible; and

32 (B) The amount and duration of the award.

33 (3) If the recipient fails to meet the requirements of the
34 rehabilitative plan, the payor may petition the court for a review to
35 determine if rehabilitative alimony shall continue or be modified.

36 (4) A person paying alimony is entitled to petition the court



1 for a review, modification, or both of the court's alimony order at any time
 2 based upon a significant and material change of circumstances.

3 (5) A payor of any award of alimony may request that the
 4 recipient of an award provide a plan of rehabilitation under subdivision
 5 (b)(2) of this section.

6 (6) An award of alimony shall not exceed:

7 (A) Twenty percent (20%) of the net income of the payor
 8 when marital property is divided fifty-fifty (50/50) by court order; or

9 (B) Ten percent (10%) of the net income of the payor when
 10 the payor retires and is sixty-two (62) years of age or older.

11 (7)(A) A court order awarding alimony may provide support for up
 12 to three (3) years from the date the divorce is granted.

13 (B) A recipient of alimony may petition the court to
 14 extend the award of alimony within six (6) months of the expiration of the
 15 initial award of alimony.

16 (8) Evidence of the recipient's inability to return to work
 17 because of a disability shall include, without limitation, testimony from a
 18 medical professional who is qualified to testify as a rehabilitation expert.

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