

1 State of Arkansas As Engrossed: H3/17/17 H3/22/17

2 91st General Assembly

A Bill

3 Regular Session, 2017

HOUSE BILL 1943

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5 By: Representative C. Douglas

6 By: Senator Collins-Smith

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For An Act To Be Entitled

9 AN ACT TO PROHIBIT THE AWARD OF ALIMONY TO PERSONS
10 CONVICTED OF A DOMESTIC VIOLENCE OFFENSE; AND FOR
11 OTHER PURPOSES.

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Subtitle

15 TO PROHIBIT THE AWARD OF ALIMONY TO
16 PERSONS CONVICTED OF A DOMESTIC VIOLENCE
17 OFFENSE.

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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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22 *SECTION 1. Arkansas Code § 9-12-312(a)(1), concerning an order of the*
23 *court concerning the care of children and alimony when a divorce decree is*
24 *entered, is amended to read as follows:*

25 *(a)(1)(A) When a decree is entered, the court shall make an order*
26 *concerning the care of the children, if there are any, and an order*
27 *concerning alimony, if applicable, as are reasonable from the circumstances*
28 *of the parties and the nature of the case.*

29 *(B) A court may deny an award of alimony to a person*
30 *convicted of an offense involving domestic violence against the payer spouse*
31 *who is the victim of that crime or offense.*

32 *(C) In determining the nature, amount, and duration of an*
33 *award of alimony, and whether a person is subject to subdivision (a)(1)(B) of*
34 *this section, the court may consider the circumstances and factors that*
35 *contributed to the dissolution of the marriage, specifically including any*
36 *ground for divorce, and any other factors necessary to consider the equities*



1 between the parties.

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3 SECTION 2. Arkansas Code § 9-12-314(a), concerning the modification of
4 an award of alimony, is amended to read as follows:

5 (a)(1) The court, upon application of either party, may make ~~such~~
6 alterations ~~from time to time, as~~ to the allowance of alimony and maintenance
7 as may be proper and may order any reasonable sum to be paid for the support
8 of the wife or the husband ~~during the pending of~~ while a complaint for a
9 divorce is pending.

10 (2)(A) A court may terminate an alimony award if the recipient
11 of the alimony award is subsequently convicted of an offense involving
12 domestic violence against the payer spouse.

13 (B) In determining whether an alimony award under
14 subdivision (a)(2)(A) of this section may be terminated, the court may
15 consider the circumstances and factors that contributed to the dissolution of
16 the marriage, specifically including any ground for divorce, and any other
17 factors necessary to consider the equities between the parties.

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19 /s/C. Douglas
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