

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

SENATE BILL 547

5 By: Senator B. Johnson
6 By: Representative Richey
7

For An Act To Be Entitled

8
9 AN ACT TO AMEND THE LAW CONCERNING THE DIVISION OF
10 PROPERTY IN AN ACTION FOR DIVORCE; AND FOR OTHER
11 PURPOSES.
12
13

Subtitle

14
15 TO AMEND THE LAW CONCERNING THE DIVISION
16 OF PROPERTY IN AN ACTION FOR DIVORCE.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 9-12-315(b), concerning the division of
22 property in an action for divorce, is amended to read as follows:

23 (b) For the purpose of this section, "marital property" means all
24 property acquired by either spouse subsequent to the marriage except:

25 (1) Property acquired prior to marriage or by gift or by reason
26 of the death of another, including, but not limited to, life insurance
27 proceeds, payments made under a deferred compensation plan, or an individual
28 retirement account, and property acquired by right of survivorship, by a
29 trust distribution, by bequest or inheritance, or by a payable on death or a
30 transfer on death arrangement;

31 (2) Property acquired in exchange for property acquired prior to
32 the marriage or in exchange for property acquired by gift, bequest, devise,
33 or descent;

34 (3) Property acquired by a spouse after a decree of divorce from
35 bed and board;

36 (4) Property excluded by valid agreement of the parties;



1 (5) The increase in value of property acquired prior to marriage
2 or by gift or by reason of the death of another, including, but not limited
3 to, life insurance proceeds, payments made under a deferred compensation
4 plan, or an individual retirement account, and property acquired by right of
5 survivorship, by a trust distribution, by bequest or inheritance, or by a
6 payable on death or a transfer on death arrangement, or in exchange therefor;

7 (6) Benefits received or to be received from a workers'
8 compensation claim, personal injury claim, or Social Security claim when
9 those benefits are for any degree of permanent disability or future medical
10 expenses;~~and~~

11 (7) Income from property owned prior to the marriage or from
12 property acquired by gift or by reason of the death of another, including,
13 but not limited to, life insurance proceeds, payments made under a deferred
14 compensation plan, or an individual retirement account, and property acquired
15 by right of survivorship, by a trust distribution, by bequest or inheritance,
16 or by a payable on death or a transfer on death arrangement, or in exchange
17 therefor; and

18 (8) Property acquired before the marriage that has not:

19 (A) Been structurally enhanced through the use of marital
20 funds; or

21 (B) Increased in usefulness or value through the use of
22 marital funds.