

1 State of Arkansas As Engrossed: S3/11/19 H3/28/19

2 92nd General Assembly

# A Bill

3 Regular Session, 2019

SENATE BILL 85

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5 By: Senator A. Clark

6 By: Representative Burch

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## For An Act To Be Entitled

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AN ACT TO AMEND THE LAW CONCERNING SERVICE OF A

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PETITION TO TERMINATE PARENTAL RIGHTS; AND FOR OTHER

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PURPOSES.

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## Subtitle

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TO AMEND THE LAW CONCERNING SERVICE OF A

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PETITION TO TERMINATE PARENTAL RIGHTS.

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

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*SECTION 1. Arkansas Code § 9-27-341(a)(4), concerning a parent's resumption of contact, overtures toward participating in a case plan, or following the orders of a court after a permanency planning hearing being an insufficient reason to not terminate parental rights, is amended to read as follows:*

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~~*(4)(A) A parent's resumption of contact or overtures toward participating in the case plan or following the orders of the court following the permanency planning hearing and preceding the termination of parental rights hearing is an insufficient reason to not terminate parental rights.*~~

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*(B) The court shall rely upon the record of the parent's compliance in the entire dependency-neglect case and evidence presented at the termination hearing in making its decision on whether it is in the juvenile's best interest of the juvenile to terminate parental rights.*

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*SECTION 2. Arkansas Code § 9-27-341(b)(3)(B)(ix)(a)(4), concerning a previous involuntary termination of parental rights as a grounds for forever*

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1 terminating parental rights, is amended to read as follows:

2 (4)(A) Have had his or her parental  
3 rights involuntarily terminated as to a child.

4 (B) It is an affirmative defense  
5 to the termination of parental rights based on a prior involuntary  
6 termination of parental rights that the parent has remedied the conditions  
7 that caused the prior involuntary termination of parental rights; or

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10 /s/A. Clark

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