

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

As Engrossed: S4/1/21

# A Bill

SENATE BILL 589

5 By: Senator B. Ballinger  
6 *By: Representatives Underwood, V. Flowers, Pilkington*  
7

## For An Act To Be Entitled

9 AN ACT CONCERNING THE MODIFICATION OF A CHILD CUSTODY  
10 OR VISITATION ORDER; AND FOR OTHER PURPOSES.

### Subtitle

14 CONCERNING THE MODIFICATION OF A CHILD  
15 CUSTODY OR VISITATION ORDER.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. Arkansas Code § 9-13-101, concerning the award of custody,  
21 is amended to add an additional subsection to read as follows:

22 (f)(1) Unless a child is in imminent danger of physical harm, a party  
23 shall not file a motion or countermotion to modify a child custody or  
24 visitation order if:

25 (A) The party requesting the modification has previously  
26 been ordered to pay:

27 (i) Child support;

28 (ii) A judgment on child support arrears; or

29 (iii) Attorney's fees and costs to another party in  
30 a previous child custody or visitation proceeding involving the child; and

31 (B) The balance of one (1) or more of the items listed in  
32 subdivisions (f)(1)(A)(i)-(iii) of this section has not been paid in full  
33 before the motion to modify child custody or visitation is filed.

34 (2) As used in this subsection, "imminent danger of physical  
35 harm" includes without limitation:

36 (A) Intentional physical injury;



