1	State of Arkansas	As Engrossed: \$4/1/21	
2	93rd General Assembly	A Bill	
3	Regular Session, 2021		SENATE BILL 589
4			
5	By: Senator B. Ballinger		
6	By: Representatives Underwood,	V. Flowers, Pilkington	
7			
8	For An Act To Be Entitled		
9	AN ACT CONCERNING THE MODIFICATION OF A CHILD CUSTODY		
10	OR VISITATION ORDER; AND FOR OTHER PURPOSES.		
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12			
13		Subtitle	
14	CONCERNING THE MODIFICATION OF A CHILD		
15	CUSTODY	OR VISITATION ORDER.	
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17			
18	BE IT ENACTED BY THE GEN	ERAL ASSEMBLY OF THE STATE O	OF ARKANSAS:
19			
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	a child custody or
24	visitation order if:		
25		he party requesting the modi	ification has previously
26	been ordered to pay:		
27		(i) Child support;	
28		(ii) A judgment on child su	-
29		(iii) Attorney's fees and o	-
30	-	or visitation proceeding in	
31		he balance of one (1) or mor	
32)-(iii) of this section has	-
33		ify child custody or visitat	
34		in this subsection, "immine	ent danger of physical
35	harm" includes without 1		
36	<u>(A) I</u>	ntentional physical injury;	

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As Engrossed: S4/1/21 SB589

1	(P) Sownal abuse.
2	(B) Sexual abuse;
3	(C) Sexual exploitation;
	(D) Drug use in the home of the child or in the presence
4	of the child; and
5	(E) An act or omission giving rise to the imminent danger
6 7	of physical harm to a child.
8	(3) A party who files or has filed a motion or countermotion to modify a child custody or visitation order and who has an outstanding balance
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10	for one (1) or more of the items listed in subdivisions (f)(1)(A)(i)-(iii) of this section shall pay to the party owed the balance:
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12	(A) The total outstanding balance in full within five (5)
13	business days; and (B) At least twenty percent (20%) of the court-ordered
14	attorney's fees and costs for which a balance is outstanding at the time of
15	filing.
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17	/s/B. Ballinger
18	/3/D. Dallinger
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