

1 State of Arkansas  
2 95th General Assembly  
3 Regular Session, 2025  
4

As Engrossed: H3/13/25

## A Bill

HOUSE BILL 1704

5 By: Representative Andrews  
6 By: Senator A. Clark  
7

### For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW REGARDING CHILD CUSTODY IN  
10 MATTERS WHERE A PARENT IS A FIRST RESPONDER; AND FOR  
11 OTHER PURPOSES.  
12  
13

### Subtitle

15 TO AMEND THE LAW REGARDING CHILD CUSTODY  
16 IN MATTERS WHERE A PARENT IS A FIRST  
17 RESPONDER.  
18

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

21 SECTION 1. Arkansas Code § 9-13-110 is amended to read as follows:

22 9-13-110. Parents who are members of armed forces or are first  
23 responders – Definitions.

24 (a) As used in this section:

25 (1) “Armed forces” means the National Guard and the reserve  
26 components of the armed forces, the United States Army, the United States  
27 Navy, the United States Marine Corps, the United States Coast Guard, the  
28 United States Air Force, and any other branch of the military and naval  
29 forces or auxiliaries of the United States or Arkansas; ~~and~~

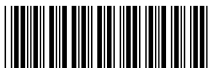
30 (2) “First responder” means a firefighter, emergency medical  
31 technician, paramedic, or a certified law enforcement officer; and

32 ~~(2)~~(3) “Mobilized parent” means a parent who:

33 (A) Is a member of the armed forces; and

34 (B) Is called to active duty or receives orders for duty  
35 that is outside the state or country.

36 (b) A court shall not permanently modify an order for child custody or



1 visitation solely on the basis that one (1) of the parents is a mobilized  
2 parent or based upon the work schedule of a parent who is a first responder.

3 (c)(1) A court of competent jurisdiction shall determine whether a  
4 temporary modification to an order for child custody or visitation is  
5 appropriate for a child or children of a mobilized parent or a parent who is  
6 a first responder.

7 (2)(A) The determination under this subsection (c) includes  
8 *consideration of any ~~and all~~ circumstances that are necessary to maximize the*  
9 *~~mobilized parent's time and contact~~ a mobilized parent has with his or her*  
10 *child that is consistent with the best interest of the child, including*  
11 *without limitation:*

12 ~~(A)~~(1) The ordered length of the mobilized parent's call  
13 to active duty;

14 ~~(B)~~(2) The mobilized parent's duty station or stations;

15 ~~(C)~~(3) The opportunity that the mobilized parent will have  
16 for contact with the child through a leave, a pass, or other authorized  
17 absence from duty;

18 ~~(D)~~(4) The contact that the mobilized parent has had with  
19 the child before the call to active military duty;

20 ~~(E)~~(5) The nature of the military mission, if known; and

21 ~~(F)~~(6) Any other factor that the court deems appropriate  
22 under the circumstances.

23 (B) The determination under this subsection includes  
24 consideration of any circumstances that are necessary to maximize the time  
25 and contact a parent who is a first responder has with his or her child that  
26 is consistent with the best interest of the child.

27 (d) This section shall not limit the power of a court of competent  
28 jurisdiction to permanently modify an order of child custody or visitation in  
29 the event that a parent volunteers for permanent military duty as a career  
30 choice regardless of whether the parent volunteered for permanent military  
31 duty while a member of the armed forces.

32  
33 /s/Andrews

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35 **APPROVED: 3/25/25**