

State of Arkansas
76th General Assembly
Regular Session, 1987
By: Representative Mahony

HOUSE BILL 1671

"AN ACT TO AMEND SECTION 14 OF ACT 303 OF 1969 [ARK. STATS. 61-144] TO PRESCRIBE THE METHOD OF COMPUTING DEGREES OF CONSANGUINITY; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 14 of Act 303 of 1969, the same being Arkansas Statutes 61-144, is hereby amended to read as follows:

"Section 14. In computing the degrees of relationship between any two kinsmen who are not related in a direct line of ascent or descent, it is proper to start with the common ancestor of the kinsmen and count downwards. In whatever degree the kinsmen, or the more remote of them, is distant from the common ancestor, that is the degree in which they are related to each other. Thus two (2) or more children of a common parent are related to each other in the first degree, because from the common parent to each of the children is counted only one (1). But a person and his nephew are related in the second degree, for the nephew is two (2) degrees removed from his grandparent who is the common ancestor. A person and his second cousin are related in the third degree, for they are both three (3) degrees removed from the great grandparent who is their common ancestor. In computing the degrees of relationship between any two kinsmen related in a direct line of ascent or descent, the degree of relationship shall be determined by starting with one of such persons and counting up or down to the other. Thus a person or his or her parent or child are related in the first degree, a person and his or her grandparent or grandchild are related in the second degree and a person and his or her great-grandparent or great-grandchild are related in the third degree."

SECTION 2. All laws and parts of laws in conflict with this Act are

hereby repealed.

SECTION 3. EMERGENCY. It is hereby found and determined by the General Assembly that some confusion exists concerning the method of computing degrees of consanguinity under present Arkansas law; that Section 14 of Act 303 of 1969 was designed and intended to apply in computing degree of relationship between two kinsmen who are related laterally and not in a direct line of ascent or descent; that if the language of that section is applied in determining degrees of relationship to persons in a direct line of ascent or descent the result is impractical and unworkable; that the purpose of this Act is to prescribe a specific procedure for determining degrees of relationship between persons related in a direct line of ascent or descent and should be given effect immediately. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

