

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

As Engrossed: H2/19/25

A Bill

HOUSE BILL 1434

5 By: Representatives Hudson, K. Moore, McCullough
6 By: Senator Irvin
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW REGARDING THE PRESUMPTION
10 THAT AN AWARD OF JOINT CUSTODY BETWEEN PARENTS IS IN
11 A CHILD’S BEST INTEREST WHEN THERE IS DOMESTIC ABUSE
12 OR COURSE OF CONTROL PRESENT; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 TO AMEND THE LAW REGARDING THE
16 PRESUMPTION THAT AN AWARD OF JOINT
17 CUSTODY BETWEEN PARENTS IS IN A CHILD’S
18 BEST INTEREST WHEN THERE IS DOMESTIC
19 ABUSE OR COURSE OF CONTROL PRESENT.
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Arkansas Code § 9-13-101(c), concerning the award of
25 custody in a case concerning child custody or visitation when a party has
26 committed an act of domestic violence, is amended to read as follows:

27 (c)(1) If a party to an action concerning custody of or a right to
28 visitation with a child has committed an act of domestic ~~violence~~ abuse or
29 course of control as defined under the Domestic Abuse Act of 1991, § 9-15-101
30 et seq., against the party making the allegation or a family or household
31 member of either party and such allegations are proven by a preponderance of
32 the evidence, the circuit court must consider the effect of such domestic
33 ~~violence~~ abuse or course of control upon the best interests of the child,
34 whether or not the child was physically injured or personally witnessed the
35 abuse, together with such facts and circumstances as the circuit court deems
36 relevant in making a directive pursuant to this section.



