

1 State of Arkansas As Engrossed: H2/19/25 H3/10/25

2 95th General Assembly

A Bill

3 Regular Session, 2025

HOUSE BILL 1434

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5 By: Representatives Hudson, K. Moore, McCullough

6 By: Senator Irvin

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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 AND FOR OTHER PURPOSES.

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Subtitle

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

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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:

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



