

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

A Bill

HOUSE BILL 1704

4
5 By: Representative Andrews
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For An Act To Be Entitled

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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.
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Subtitle

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15 TO AMEND THE LAW REGARDING CHILD CUSTODY
16 IN MATTERS WHERE A PARENT IS A FIRST
17 RESPONDER.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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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:

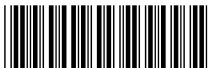
25 (1) “Armed forces” means the National Guard and the reserve
26 components of the armed forces, the United States Army, the United States
27 Navy, the United States Marine Corps, the United States Coast Guard, the
28 United States Air Force, and any other branch of the military and naval
29 forces 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 with his or her child that is consistent
10 with the best interest of the child, including without limitation:

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

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

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

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

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

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

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

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

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