

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1792

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

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING THE AWARD OF
10 ALIMONY; TO EXPAND UPON WHAT MAY CONSTITUTE A
11 SIGNIFICANT AND MATERIAL CHANGE IN CIRCUMSTANCES FOR
12 REVIEW OR MODIFICATION OF AN ORDER FOR ALIMONY; TO
13 LIMIT THE DURATION OF AN AWARD OF ALIMONY; AND FOR
14 OTHER PURPOSES.
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Subtitle

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18 TO AMEND THE LAW CONCERNING WHAT MAY
19 CONSTITUTE A SIGNIFICANT AND MATERIAL
20 CHANGE IN CIRCUMSTANCES FOR REVIEW OR
21 MODIFICATION OF AN ORDER FOR ALIMONY; AND
22 TO LIMIT THE DURATION OF AN AWARD OF
23 ALIMONY.
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 SECTION 1. Arkansas Code § 9-12-312(a)(7), concerning the right to
29 petition the court for review or modification of an alimony order at any time
30 based on a significant and material change of circumstances, is amended to
31 read as follows:

32 (7)(A) Both a person paying alimony and a person receiving
33 alimony are entitled to petition the court for a review, modification, or
34 both of the court's alimony order at any time based upon a significant and
35 material change of circumstances, including without limitation:

36 (i) The recipient's financial need has been



1 significantly reduced due to a child reaching the age of majority;

2 (ii) The recipient's financial situation has
3 considerably improved since the date of divorce;

4 (iii) The recipient's standard of living exceeds
5 that which he or she was accustomed to during the marriage;

6 (iv) The payor's ability to pay has significantly
7 and involuntarily decreased due to disability, illness, loss of employment,
8 or other causes; or

9 (v) The payor retires and is over sixty-five (65)
10 years of age.

11 (B) Evidence of a party's inability to work because of
12 disability shall include without limitation evidence provided by a medical
13 professional.

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15 SECTION 2. Arkansas Code § 9-12-312(a), concerning circumstances
16 surrounding the award of alimony and child support, is amended to add an
17 additional subdivision to read as follows:

18 (8) For all alimony orders entered on or after July 1, 2023, the
19 liability for alimony shall be no more than fifty percent (50%) of the
20 duration of the marriage.

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