

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1908

5 By: Representative Pilkington
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING THE GROUNDS FOR
9 DIVORCE; TO AMEND THE LAW CONCERNING THE GROUNDS FOR
10 DIVORCE UNDER THE COVENANT MARRIAGE ACT OF 2001; AND
11 FOR OTHER PURPOSES.
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Subtitle

14 TO AMEND THE LAW CONCERNING THE GROUNDS
15 FOR DIVORCE; AND TO AMEND THE LAW
16 CONCERNING THE GROUNDS FOR DIVORCE UNDER
17 THE COVENANT MARRIAGE ACT OF 2001.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 9-11-808(a)(4) and (5), concerning divorce
24 or separation under the Covenant Marriage Act of 2001, are amended to read as
25 follows:

26 (4) The spouses have been living separate and apart continuously
27 without reconciliation for a period of ~~two (2)~~ seven (7) years; or

28 (5)(A) The spouses have been living separate and apart
29 continuously without reconciliation for a period of ~~two (2)~~ seven (7) years
30 from the date the judgment of judicial separation was signed.

31 (B)(i) If there is a minor child or children of the
32 marriage, the spouses have been living separate and apart continuously
33 without reconciliation for a period of ~~two (2)~~ seven (7) years and six (6)
34 months from the date the judgment of judicial separation was signed.

35 (ii) However, if abuse of a child of the marriage or
36 a child of one (1) of the spouses is the basis for which the judgment of



1 judicial separation was obtained, then a judgment of divorce may be obtained
2 if the spouses have been living separate and apart continuously without
3 reconciliation for a period of one (1) year from the date the judgment of
4 judicial separation was signed.

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6 SECTION 2. Arkansas Code § 9-12-301(b)(5), concerning grounds for
7 divorce, is amended to read as follows:

8 (5) When husband and wife have lived separate and apart from
9 each other for ~~eighteen (18)~~ seven (7) continuous months without
10 cohabitation, the court shall grant an absolute decree of divorce at the suit
11 of either party, whether the separation was the voluntary act of one (1)
12 party or by the mutual consent of both parties or due to the fault of either
13 party or both parties;