

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

A Bill

SENATE BILL 561

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

For An Act To Be Entitled

9 AN ACT TO EXPAND UPON THE USE OF CHILD SUPPORT
10 PAYMENTS BY A PHYSICAL CUSTODIAN OR PAYEE; TO REQUIRE
11 CHILD SUPPORT PAYMENTS TO BE USED FOR THE BENEFIT OF
12 A MINOR CHILD; TO ALLOW A COURT TO ORDER A PHYSICAL
13 CUSTODIAN OR PAYEE RECEIVING CHILD SUPPORT TO FURNISH
14 AN ACCOUNTING OF EXPENSES PAID WITH CHILD SUPPORT
15 PAYMENTS; AND FOR OTHER PURPOSES.
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Subtitle

18 TO REQUIRE CHILD SUPPORT PAYMENTS TO BE
19 USED FOR THE BENEFIT OF A MINOR CHILD;
20 AND TO ALLOW A COURT TO ORDER A PERSON
21 RECEIVING CHILD SUPPORT TO FURNISH AN
22 ACCOUNTING OF EXPENSES PAID WITH CHILD
23 SUPPORT PAYMENTS.
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27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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29 SECTION 1. Arkansas Code § 9-14-106(a)(1), concerning the
30 determination of a reasonable amount of child support to be paid, is amended
31 to add an additional subdivision to read as follows:

32 (E)(i) A court, on its own motion or upon proper, verified
33 motion of the payor and a showing of good cause, including without limitation
34 based on evidence that the minor child's needs are not being met, may order
35 the physical custodian, payee, or other person to whom child support may be
36 owed to:



1 (a) Provide the court and the payor with an
2 accounting of expenses that have been paid with child support payments; and

3 (b) Demonstrate to the court how the child
4 support payments were used for the benefit of the minor child or children.

5 (ii) The court may prescribe the form, substance,
6 and time frame of the accounting under subdivision (a)(1)(E)(i)(a) of this
7 section.

8 (iii) The court may provide for the accounting under
9 subdivision (a)(1)(E)(i)(a) of this section in the initial support order,
10 including requiring that the physical custodian or payee provide the
11 information under subdivision (a)(1)(E)(i)(a) of this section to the payor
12 upon the payor’s request and with sufficient notice provided to the physical
13 custodian or payee.

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15 SECTION 2. Arkansas Code Title 9, Chapter 14, Subchapter 1, is amended
16 to add an additional section to read as follows:

17 9-14-111. Child support payments – Use for benefit of minor child –
18 Accounting.

19 (a) All child support payments received by a physical custodian,
20 payee, or other person to whom child support may be owed shall be used for
21 the benefit of the minor child or minor children for whom the payor is
22 ordered to provide support.

23 (b)(1) A court, on its own motion or upon proper, verified motion of
24 the payor and a showing of good cause, including without limitation based on
25 evidence that the minor child’s needs are not being met, may order the
26 physical custodian, payee, or other person to whom child support may be owed
27 to:

28 (A) Provide the court and the payor with an accounting of
29 expenses that have been paid with child support payments; and

30 (B) Demonstrate to the court how the child support
31 payments were used for the benefit of the minor child or children.

32 (2) The court may prescribe the form, substance, and time frame
33 of the accounting under subdivision (b)(1)(A) of this section.

34 (3) The court may provide for the accounting under subdivision
35 (b)(1)(A) of this section in the initial support order, including requiring
36 that the physical custodian or payee provide the information under

1 subdivision (b)(1)(A) of this section to the payor upon the payor's request
2 and with sufficient notice provided to the physical custodian or payee.

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