**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 4440**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Mace, Kimmons and Trantham

Document Path: l:\council\bills\cc\15578vr19.docx

Introduced in the House on April 9, 2019

Currently residing in the House Committee on **Judiciary**

Summary: Divorce

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/9/2019 House Introduced and read first time ([House Journal‑page 170](file:///h:\hj\20190409.docx))

4/9/2019 House Referred to Committee on **Judiciary** ([House Journal‑page 170](file:///h:\hj\20190409.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=4440&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[4/9/2019](file:///p:\pprever\2019-20\4440_20190409.docx)

**A** **BILL**

TO AMEND SECTION 20‑3‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GROUNDS FOR DIVORCE, SO AS TO ADD PHYSICAL OR SEXUAL CHILD ABUSE AS A GROUND FOR DIVORCE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 20‑3‑10 of the 1976 Code is amended to read:

“Section 20‑3‑10. No divorce from the bonds of matrimony shall be granted except upon one or more of the following grounds~~, to wit~~:

(1) adultery;

(2) desertion for a period of one year;

(3) physical cruelty;

(4) habitual drunkenness; provided, that this ground shall be construed to include habitual drunkenness caused by the use of any narcotic drug; ~~or~~

(5) physical or sexual child abuse; or

(6) on the application of either party if and when the husband and wife have lived separate and apart without cohabitation for a period of one year. A plea of res judicata or of recrimination with respect to any other provision of this section shall not be a bar to either party obtaining a divorce on this ground.”

SECTION 2. This act takes effect upon ratification of an amendment to Section 3, Article XVII of the Constitution of this State authorizing the General Assembly to change the existing grounds for divorce.

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