**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3190**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Delleney

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Introduced in the House on January 13, 2009

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

Summary: Prenuptial agreements

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/16/2008 House Prefiled

12/16/2008 House Referred to Committee on **Judiciary**

1/13/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\01-13-09.docx)‑83

1/13/2009 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2009\01-13-09.docx)‑84

**VERSIONS OF THIS BILL**

[12/16/2008](file:///p:\pprever\2009-10\3190_20081216.docx)

**A** **BILL**

TO AMEND SECTION 63‑3‑530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURISDICTION OF FAMILY COURT AND PROBATE COURT, SO AS TO PROVIDE FAMILY COURT HAS EXCLUSIVE JURISDICTION TO INTERPRET A PRENUPTIAL AGREEMENT, AND MAY APPROVE A PRENUPTIAL AGREEMENT PRIOR TO A MARRIAGE.

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

SECTION 1. Section 63‑3‑530(B) of the 1976 Code, as added by Act 361 of 2008, is amended to read:

“(B) Notwithstanding another provision of law, the family court and the probate court have concurrent jurisdiction to hear and determine matters relating to paternity, common‑law marriage, and interpretation of marital agreements; except that the concurrent jurisdiction of the probate court extends only to matters dealing with the estate, trust, and guardianship and conservatorship actions before the probate court. The family court has exclusive jurisdiction over interpretation of terms in a prenuptial agreement and may approve the validity of a prenuptial agreement before the subject marriage is formed.”

SECTION 2. This act takes effect upon approval by the Governor.

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