**South Carolina General Assembly**

122nd Session, 2017-2018

**H. 3134**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. G.M. Smith, Clyburn, Hixon and Taylor

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Introduced in the House on January 10, 2017

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

Summary: Grounds for divorce

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/15/2016 House Prefiled

12/15/2016 House Referred to Committee on **Judiciary**

1/10/2017 House Introduced and read first time ([House Journal‑page 88](file:///h:\hj\20170110.docx))

1/10/2017 House Referred to Committee on **Judiciary** ([House Journal‑page 88](file:///h:\hj\20170110.docx))

1/18/2017 House Member(s) request name added as sponsor: Hixon

1/19/2017 House Member(s) request name added as sponsor: Taylor

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**VERSIONS OF THIS BILL**

[12/15/2016](file:///p:\pprever\2017-18\3134_20161215.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 AS A GROUND CONDUCT OR TREATMENT THAT DESTROYS THE WELL-BEING, HAPPINESS, AND WELFARE OF A SPOUSE AND RENDERS CONTINUED COHABITATION UNSAFE OR UNENDURABLE.

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) conduct or treatment which destroys or tends to destroy the mental or physical well‑being, happiness, and welfare of the other and renders continued cohabitation unsafe or unendurable; 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 approval by the Governor.

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