**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 4349**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Mace and Bannister

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Introduced in the House on March 28, 2019

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

Summary: Divorce; allow for divorce after living separate and apart for 6 months

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/28/2019 House Introduced and read first time ([House Journal‑page 47](file:///h:\hj\20190328.docx))

3/28/2019 House Referred to Committee on **Judiciary** ([House Journal‑page 47](file:///h:\hj\20190328.docx))

4/10/2019 House Member(s) request name added as sponsor: Bannister

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=4349&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[3/28/2019](file:///p:\pprever\2019-20\4349_20190328.docx)

**A** **BILL**

TO AMEND SECTION 20‑3‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GROUNDS FOR DIVORCE, SO AS TO ALLOW DIVORCE AFTER LIVING SEPARATE AND APART FOR SIX MONTHS.

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) 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~~ six months. 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 establish by law time limitations to obtain a divorce after living separate and apart.

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