**South Carolina General Assembly**

119th Session, 2011-2012

**H. 4760**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. McLeod, Jefferson, Williams, Knight, Hosey, Anderson, Bannister, Bowers and Spires

Document Path: l:\council\bills\nbd\12070ac12.docx

Companion/Similar bill(s): 4762

Introduced in the House on February 9, 2012

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

Summary: Grounds for divorce

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/9/2012 House Introduced and read first time ([House Journal‑page 15](file:///h:\hj%20archive\2012\02-09-12.docx))

2/9/2012 House Referred to Committee on **Judiciary** ([House Journal‑page 15](file:///h:\hj%20archive\2012\02-09-12.docx))

**VERSIONS OF THIS BILL**

[2/9/2012](file:///p:\pprever\2011-12\4760_20120209.docx)

**A** **BILL**

TO AMEND SECTION 20‑3‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GROUNDS FOR DIVORCE, SO AS TO PROVIDE THAT A DIVORCE MAY BE GRANTED ON THE GROUND OF CONTINUOUS SEPARATION FOR ONE HUNDRED FIFTY DAYS, RATHER THAN FOR ONE YEAR.

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~~ may 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~~ must 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~~ hundred fifty days. A plea of res judicata or of recrimination with respect to any other provision of this section ~~shall~~ is 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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