**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3075**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Gatch

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Prefiled in the House on December 5, 2024

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

Summary: Postnuptial Agreements

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/5/2024 House Prefiled

 12/5/2024 House Referred to Committee on **Judiciary**

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=3075&session=126&summary=B)  at the website

**VERSIONS OF THIS BILL**

[12/05/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3075_20241205.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 20‑3‑630, RELATING TO MARITAL AND NONMARITAL PROPERTY, SO AS TO REQUIRE FAMILY COURT APPROVAL OF POSTNUPTIAL AGREEMENTS.

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

SECTION 1. Section 20‑3‑630(A)(4) of the S.C. Code is amended to read:

 (4) property excluded by written contract of the parties. “Written contract” includes any antenuptial agreement of the parties which must be considered presumptively fair and equitable so long as it was voluntarily executed with both parties separately represented by counsel and pursuant to the full financial disclosure to each other that is mandated by the rules of the family court as to income, debts, and assets. “Written contract” includes any postnuptial agreement of the parties that is approved by the family court pursuant to a petition other than a petition for divorce and is necessary for purposes of disposition of property not otherwise addressed by this section;

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

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