**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3078**

**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: Alimony

**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**

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**VERSIONS OF THIS BILL**

[12/05/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3078_20241205.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 20‑3‑130, RELATING TO ALIMONY, SO AS TO ALLOW THE AWARD OF ALIMONY IN CERTAIN CIRCUMSTANCES WHEN A PARTY COMMITS ADULTERY.

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

SECTION 1. Section 20‑3‑130(A) of the S.C. Code is amended to read:

 (A) In proceedings for divorce from the bonds of matrimony, and in actions for separate maintenance and support, the court may grant alimony or separate maintenance and support in such amounts and for such term as the court considers appropriate as from the circumstances of the parties and the nature of case may be just, pendente lite, and permanently. No alimony may be awarded a spouse who commits adultery before the earliest earlier of these two events: (1) the formal signing of a written property or marital settlement agreement or (2) entry of a permanent order of separate maintenance and support or of a permanent order approving a property or marital settlement agreement between the parties. However, in such proceedings and actions based on the ground of adultery, there is no bar to the award of alimony if the spouse filing for divorce or seeking separate maintenance and support subsequently commits adultery before the earlier of those two events.

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

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