

April 6, 2009

H 1107. ALIMONY AND POST SEPARATION SUPPORT WAIVER. Filed 4/6/09. *AMENDING THE LAWS PERTAINING TO CONTRACTS BETWEEN A HUSBAND AND WIFE TO ALLOW A SPOUSE TO WAIVE ALIMONY AND POST SEPARATION SUPPORT DURING THE MARRIAGE.*

Amends GS 52-10 to provide that a contract between a husband and wife to waive and release all rights and obligations to post separation support, alimony, or spousal support is valid and not inconsistent with public policy, with or without valuable consideration, if the contract is (1) in writing and (2) acknowledged by both parties before a certifying officer. Allows a release to be pleaded in bar of any action or proceeding for the recovery of the rights released.

Intro. by Rhyne, Goodwin.

GS 52

May 4, 2009

H 1107. ALIMONY AND POSTSEPARATION SUPPORT WAIVER. Filed 4/6/09. House committee substitute makes the following changes to 1st edition. Amends proposed subsection (a1) to GS 52-10 to provide that a contract between a husband and wife that waives, releases or establishes rights and obligations (was, the contract waived or released the rights and obligations) to post-separation support, alimony, or spousal support is valid, with or without consideration. Amends GS 50-16.6(b) to provide that alimony, post-separation support, and counsel fees may be barred by an express provision of a marital contract made pursuant to proposed GS 52-10(a1).