

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

H

1

HOUSE BILL 1107

Short Title: Alimony and Post Separation Support Waiver. (Public)

Sponsors: Representatives Rhyne, Goodwin (Primary Sponsors); and K. Alexander.

Referred to: Ways and Means/Broadband Connectivity, if favorable, Judiciary II.

April 7, 2009

1 A BILL TO BE ENTITLED
2 AN ACT AMENDING THE LAWS PERTAINING TO CONTRACTS BETWEEN A
3 HUSBAND AND WIFE TO ALLOW A SPOUSE TO WAIVE ALIMONY AND POST
4 SEPARATION SUPPORT DURING THE MARRIAGE.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 52-10 is amended by adding the following new subsection to
7 read:

8 "(a1) A contract between a husband and wife to waive and release all rights and
9 obligations to post separation support, alimony, or spousal support is valid and not inconsistent
10 with public policy, with or without valuable consideration, if the contract is in writing and is
11 acknowledged by both parties before a certifying officer. A release made pursuant to this
12 subsection may be pleaded in bar of any action or proceeding for the recovery of the rights
13 released."

14 **SECTION 2.** This act is effective when it becomes law.

