



CHAPTER 52B

N.C.G.S. § 52B-7.

Enforcement.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 1997-456, s. 27 — third act in the lineage	21 September 2026, 03:29 UTC	db0aab94b1ca42ef86b25d10 - 4cc9b40d8780d57f08dc9499 - 48e099fb3653024c

§ 52B-7(a)

A premarital agreement is not enforceable if the party against whom enforcement is sought proves that:

- (1) That party did not execute the agreement voluntarily; or
- (2) The agreement was unconscionable when it was executed and, before execution of the agreement, that party:
 - a. Was not provided a fair and reasonable disclosure of the property or financial obligations of the other party;
 - b. Did not voluntarily and expressly waive, in writing, any right to disclosure of the property or financial obligations of the other party beyond the disclosure provided; and
 - c. Did not have, or reasonably could not have had, an adequate knowledge of the property or financial obligations of the other party.

§ 52B-7(b)

If a provision of a premarital agreement modifies or eliminates spousal support and that modification or elimination causes one party to the agreement to be eligible for support under a program of public assistance at the time of separation or marital dissolution, a court, notwithstanding the terms of the agreement, may require the other party to provide support to the extent necessary to avoid that eligibility. Before the court orders support under this subsection, the court must find that the party for whom support is ordered is a dependent spouse, as defined by G.S. 50-16.1A, and that the requirements of G.S. 50-16.2A regarding postseparation support or G.S. 50-16.3A regarding alimony have been met.

§ 52B-7(c)

An issue of unconscionability of a premarital agreement shall be decided by the court as a matter of law.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
3 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1987			1992	1997
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT		
Nº	YEAR	ACT	CHARACTER	
01	1987	c. 473, s. 1	ENACTED	
02	1995	c. 319, s. 11	AMENDED	
03	1997	S.L. 1997-456, s. 27	AMENDED	

APPARATUS II
3 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 50-16.1A	(b)	"a dependent spouse, as defined by"
G.S. 50-16.2A	(b)	"50-16.1A, and that the requirements of"
G.S. 50-16.3A	(b)	"G.S. 50-16.2A regarding postseparation support or"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 52B-7 (1997).

PINPOINT

N.C. Gen. Stat. § 52B-7(a) (1997).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1987, c. 473, s. 1; 1995, c. 319, s. 11; 1997-456, s. 27.)

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