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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3830

02/15/2024 Authored by Hollins
The bill was read for the first time and referred to the Committee on Judiciary Finance and Civil Law

1.1 A bill for an act
1.2 relating to civil law; clarifying that two people may enter into an antenuptial
1.3 contract; amending Minnesota Statutes 2022, section 519.11, subdivision 1.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2022, section 519.11, subdivision 1, is amended to read:

1.6 Subdivision 1. Antenuptial contract. ~~A man and woman~~ Two people of legal age may
1.7 enter into an antenuptial contract or settlement prior to solemnization of marriage which
1.8 shall be valid and enforceable if (a) there is a full and fair disclosure of the earnings and
1.9 property of each party, and (b) the parties have had an opportunity to consult with legal
1.10 counsel of their own choice. An antenuptial contract or settlement made in conformity with
1.11 this section may determine what rights each party has in the nonmarital property, defined
1.12 in section 518.003, subdivision 3b, upon dissolution of marriage, legal separation or after
1.13 its termination by death and may bar each other of all rights in the respective estates not so
1.14 secured to them by their agreement. This section shall not be construed to make invalid or
1.15 unenforceable any antenuptial agreement or settlement made and executed in conformity
1.16 with this section because the agreement or settlement covers or includes marital property,
1.17 if the agreement or settlement would be valid and enforceable without regard to this section.

1.18 EFFECTIVE DATE. This section is effective the day following final enactment and
1.19 applies to agreements entered into before, on, or after that date.

1.20 Sec. 2. EXISTING ANTENUPTIAL AGREEMENTS; RETROACTIVITY.

1.21 An antenuptial agreement entered into before the effective date of this act shall not be
1.22 invalidated based on the same sex of the parties to the agreement.

2.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.