

“EXHIBIT C”  
PROPOSED AMENDMENTS TO TENN. CODE ANN. 36-3-501  
AND  
TENN. CODE ANN. 36-4-136 RULE 31B ARBITRATION

36-3-501. Enforcement of antenuptial agreements & *arbitration awards*.

(a) Notwithstanding any other law to the contrary, except as provided in § 36-3-502, any antenuptial or prenuptial agreement entered into by spouses concerning property owned by either spouse before the marriage that is the subject of such agreement shall be binding upon any court having jurisdiction over such spouses and/or such agreement if such agreement is determined, in the discretion of such court, to have been entered into by such spouses freely, knowledgeably and in good faith and without exertion of duress or undue influence upon either spouse. The terms of such agreement shall be enforceable by all remedies available for enforcement of contract terms.

(b) *Any arbitration agreement pursuant to Tennessee Supreme Court Rule 31B on issues of property and spousal support, shall be binding upon any court having jurisdiction over such spouses and/or such agreement. The terms of such agreement shall be enforceable by all remedies available for enforcement of contract terms.*

36-4-136. *Rule 31B Arbitration.*

*When the parties to a domestic relations matter submit to arbitration under Tennessee Supreme Court Rule 31B, the arbitrator’s award as to property and spousal support shall be binding upon any court having jurisdiction over such spouses, and the Court does not need to make an affirmative finding concerning the equitable distribution of marital property.*