

Tenn. Code § 36-4-101

Section 36-4-101 - Grounds for divorce from bonds of matrimony

- (a) The following are causes of divorce from the bonds of matrimony:
- (1) Either party, at the time of the contract, was and still is naturally impotent and incapable of procreation;
 - (2) Either party has knowingly entered into a second marriage, in violation of a previous marriage, still subsisting;
 - (3) Either party has committed adultery;
 - (4) Willful or malicious desertion or absence of either party, without a reasonable cause, for one (1) whole year;
 - (5) Being convicted of any crime that, by the laws of the state, renders the party infamous;
 - (6) Being convicted of a crime that, by the laws of the state, is declared to be a felony, and sentenced to confinement in the penitentiary;
 - (7) Either party has attempted the life of the other, by poison or any other means showing malice;
 - (8) Refusal, on the part of a spouse, to remove with that person's spouse to this state, without a reasonable cause, and being willfully absent from the spouse residing in Tennessee for two (2) years;
 - (9) The woman was pregnant at the time of the marriage, by another person, without the knowledge of the husband;
 - (10) Habitual drunkenness or abuse of narcotic drugs of either party, when the spouse has contracted either such habit after marriage;
 - (11) The husband or wife is guilty of such cruel and inhuman treatment or conduct towards the spouse as renders cohabitation unsafe and improper, which may also be referred to in pleadings as inappropriate marital conduct;
 - (12) The husband or wife has offered such indignities to the spouse's person as to render the spouse's position intolerable, and thereby forced the spouse to withdraw;
 - (13) The husband or wife has abandoned the spouse or turned the spouse out of doors for no just cause, and has refused or neglected to provide for the spouse while having the ability to so provide;
 - (14) Irreconcilable differences between the parties; and

(15) For a continuous period of two (2) or more years that commenced prior to or after April 18, 1985, both parties have lived in separate residences, have not cohabited as man and wife during such period, and there are no minor children of the parties.

(b) A complaint or petition for divorce on any ground for divorce listed in this section must have been on file for sixty (60) days before being heard if the parties have no unmarried child under eighteen (18) years of age, and must have been on file at least ninety (90) days before being heard if the parties have an unmarried child under eighteen (18) years of age. The sixty-day or ninety-day period shall commence on the date the complaint or petition is filed.

T.C.A. § 36-4-101

Code 1858, § 2448 (deriv. Acts 1819, ch. 20, § 2; 1835-1836, ch. 26, §§ 1, 2; 1841-1842, ch. 133, § 3; 1843-1844, ch. 176, § 1); Acts 1867-1868, ch. 63, § 1; 1867-1868, ch. 68, § 1; Shan., § 4201; mod. Code 1932, § 8426; Acts 1961, ch. 168, § 1; 1972, ch. 679, § 1; 1977, ch. 107, § 1; 1978, ch. 577, § 1; 1981, ch. 311, § 1; 1981, ch. 420, § 1; 1981, ch. 532, § 1; 1982, ch. 853, § 2; T.C.A. (orig. ed.), § 36-801(I); Acts 1985, ch. 178, § 1; 1989, ch. 393, § 1; 1998, ch. 1059, § 1; 2007, ch. 519, § 1.
