§ 31-5.4. Revocation by divorce or annulment; revival.

(a) Unless a contrary intent is expressly indicated in the will, if the testator's marriage is dissolved by absolute divorce or annulment after the execution of a will, then the testator's former spouse shall be deemed to have predeceased the testator for all purposes related to the construction, interpretation, or administration of that will. This section shall apply to all provisions of the testator's will, including, but not by way of limitation, any provision conferring a general or special power of appointment on the former spouse and any appointment of the former spouse as executor, trustee, conservator, guardian, or any other fiduciary or nonfiduciary position.

(b) This section shall not apply to a will if the following occur:

(1) The testator executes a subsequent valid testamentary document that makes express reference to the will, such as by date of the will, and which modifies the will.

(2) The testator remarries the former spouse prior to the testator's death, unless the remarriage is subsequently dissolved by absolute divorce or annulment.

(c) As used in this section, the term "former spouse" includes a purported former spouse.

(1953, c. 1098, s. 6; 1977, c. 74, s. 3; 1991, c. 587, s. 1; 2023-120, s. 2.1.)