

Subsection (b) is new language derived from Art. 16, §1 and Rule 220(b). Interestingly, although an action for divorce is personal and does not survive, insofar as marital rights are concerned, an appeal may be maintained after the death of a party with regard to rights in the decedent's property, Thomas v. Thomas, 57 Md. 504 (1882).

Although Rule 220 covers abatement of action, and although abatement is generally regarded as procedural, whether or not a cause of action survives is substantive. This section is retained here and phrased in terms of survival for that reason.

Rule 220 allows substitution of the personal representative of a deceased party. The liability of a personal representative for acts done by the decedent is covered in Art. 93, §8-109. Although similar provisions appear in Art. 75, §15, they have been omitted here and §15 is proposed for repeal.

The provisions of Art. 16, §1 relating to the effect of a posthumously issued decree on the distribution of assets of the deceased's estate has been deleted and is proposed for repeal; the matter is covered by Art. 93.

The only other changes made are in style.

SEC. 6-402. CONTINUANCE BECAUSE OF LEGISLATIVE DUTIES.

(A) IN GENERAL.

IF A MEMBER OR DESK OFFICER OF THE GENERAL ASSEMBLY IS AN ATTORNEY OF RECORD IN A PROCEEDING, THE PROCEEDING SHALL BE CONTINUED FROM FIVE DAYS BEFORE THE LEGISLATIVE SESSION CONVENES UNTIL TEN DAYS AFTER ~~[[IS]]~~ IT IS ADJOURNED.

(B) LEGISLATIVE COUNCIL.

IF A MEMBER OF THE LEGISLATIVE COUNCIL OR A SUBCOMMITTEE OF THE COUNCIL IS AN ATTORNEY OF RECORD IN A PROCEEDING, THE PROCEEDING SHALL BE CONTINUED WHILE THE LEGISLATIVE COUNCIL OR SUBCOMMITTEE IS HOLDING A MEETING.