

(B) PRESUMPTIONS.

UNLESS OTHERWISE EXPRESSLY PROVIDED, WHENEVER THE ESTATES OF DECEDENTS LAW STATES THAT A FACT IS PRESUMED, THE PRESUMPTION IS REBUTTABLE.

REVISOR'S NOTE: This section presently appears as Art. 93, § 1-105. The severability provision of this section is proposed for deletion because it is covered by Art. 1, §23. The only other changes are in language and style.

SUBTITLE 2. DETERMINING RELATIONSHIP.

1-201. APPLICATION OF RULES.

IN THE ABSENCE OF EXPRESS LANGUAGE TO THE CONTRARY, THE RULES OF CONSTRUCTION CONTAINED IN THIS SUBTITLE SHALL BE APPLIED IN CONSTRUING ALL PROVISIONS OF THE ESTATES OF DECEDENTS LAW AND THE TERMS OF A WILL.

REVISOR'S NOTE: This section presently appears as Art. 93, § 1-201. A change is made in terminology.

1-202. SURVIVING SPOUSE.

(A) VALID DIVORCE.

NO PERSON WHO IS VALIDLY DIVORCED A VINCULO MATRIMONII FROM THE DECEDENT OR WHOSE MARRIAGE TO THE DECEDENT HAS BEEN VALIDLY ANNULLED IS A SURVIVING SPOUSE.

(B) DIVORCE IN ANOTHER STATE.

NO PERSON WHO HAS VOLUNTARILY APPEARED IN A PROCEEDING IN WHICH AN A VINCULO MATRIMONII DIVORCE BETWEEN THE DECEDENT AND THE SURVIVOR, OR AN ANNULMENT OF THEIR MARRIAGE WAS OBTAINED, EVEN THOUGH NOT RECOGNIZED AS VALID IN THIS STATE, IS A SURVIVING SPOUSE. THIS SUBSECTION DOES NOT APPLY IF THE PARTIES TO THE DIVORCE OR ANNULMENT SUBSEQUENTLY RE-MARRY EACH OTHER.

(C) MARRIAGE TO A THIRD PARTY.

NO PERSON WHO PARTICIPATES IN A MARRIAGE CEREMONY WITH A THIRD PERSON, AFTER A DECREE OR JUDGMENT OF DIVORCE OR ANNULMENT OBTAINED BY THE DECEDENT, IS A SURVIVING SPOUSE.

(D) NO PERSON WHO HAS BEEN CONVICTED OF BIGAMY WHILE MARRIED TO THE DECEDENT IS A SURVIVING SPOUSE.

REVISOR'S NOTE: This section presently appears as