

RECRIMINATION IS NOT A BAR TO EITHER PARTY OBTAINING AN ABSOLUTE DIVORCE ON THE GROUNDS SET FORTH IN SUBSECTION (A)(1) THROUGH (5) OF THIS SECTION, BUT IS A FACTOR TO BE CONSIDERED BY THE COURT IN A CASE INVOLVING THE GROUND OF ADULTERY.

(C) RES JUDICATA.

RES JUDICATA WITH RESPECT TO ANOTHER GROUND UNDER THIS SECTION IS NOT A BAR TO EITHER PARTY OBTAINING AN ABSOLUTE DIVORCE ON THE GROUND OF 2-YEAR SEPARATION.

(D) CONDONATION.

CONDONATION IS NOT AN ABSOLUTE BAR TO A DECREE OF AN ABSOLUTE DIVORCE ON THE GROUND OF ADULTERY, BUT IS A FACTOR TO BE CONSIDERED BY THE COURT IN DETERMINING WHETHER THE DIVORCE SHOULD BE DECREED.

(E) EFFECT OF A LIMITED DIVORCE ON BILL OF COMPLAINT FOR ABSOLUTE DIVORCE.

(1) A COURT MAY DECREE AN ABSOLUTE DIVORCE EVEN IF A PARTY HAS OBTAINED A LIMITED DIVORCE.

(2) IF A PARTY OBTAINED A LIMITED DIVORCE ON THE GROUND OF DESERTION THAT AT THE TIME OF THE DECREE DID NOT MEET THE REQUIREMENTS OF SUBSECTION (A)(2) OF THIS SECTION, THE PARTY MAY OBTAIN AN ABSOLUTE DIVORCE ON THE GROUND OF DESERTION WHEN THE DESERTION MEETS THE REQUIREMENTS OF SUBSECTION (A)(2) OF THIS SECTION.

REVISOR'S NOTE: Subsection (a)(1) through (5) of this section is new language derived without substantive change from the first sentence of former Article 16, § 24.

Subsection (a)(6) of this section is new language derived without substantive change from former Article 16, § 26.

Subsections (b) and (c) of this section are new language derived without substantive change from the second sentence of former Article 16, § 24.

Subsection (d) of this section formerly appeared as the third sentence of former Article 16, § 24.

Subsection (e) of this section is new language derived without substantive change from former Article 16, § 31.

In subsection (a) of this section, the former reference to "a hearing of any bill for a divorce" is deleted as unnecessary in light of the provisions of § 1-203(c) of this article.