



CHAPTER 31

ARTICLE 2 - REVOCATION OF WILL

N.C.G.S. § 31-5.4.

Revocation by divorce or annulment; revival.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2023-120, s. 2.1 — fourth act in the lineage	21 September 2026, 04:13 UTC	3fe20284527a3a1c6ffb120c - 23a47f7525f8f12e532a2102 - e37c1c61c5fd973b

§ 31-5.4(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.

§ 31-5.4(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.

§ 31-5.4(c)

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

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I

4 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

	1953		1988		2023
	TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT		
Nº	YEAR	ACT	CHARACTER		
01	1953	c. 1098, s. 6	ENACTED		
02	1977	c. 74, s. 3	AMENDED		
03	1991	c. 587, s. 1	AMENDED		
04	2023	S.L. 2023-120, s. 2.1	AMENDED		

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 31-5.4 (2023).

PINPOINT

N.C. Gen. Stat. § 31-5.4(a) (2023).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

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

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