

Bill No.: SF0100 **Effective:** 7/1/2023

LSO No.: 23LSO-0554

Enrolled Act No.: SEA No. 0070

Chapter No.: 140

Prime Sponsor: Barlow

Catch Title: **Designation of spouses-revocation upon divorce or annulment.**

Subject: Provides for the revocation of designations of a former spouse in governing instruments and severance of property interests upon divorce or annulment.

Summary/Major Elements:

- This act provides that when spouses are divorced or the marriage is annulled, any revocable designation of a person's former spouse in a governing instrument shall be immediately revoked, unless otherwise expressly provided by the governing instrument, specifically:
 - Dispositions or appointments of property to a former spouse.
 - Dispositions or appointments by law or those created by a governing instrument to a relative of a former spouse.
 - Designations conferring a general or special power of appointment on a former spouse or a former spouse's relative.
 - Nominations in a governing instrument that nominate a former spouse or a former spouse's relative to serve in any fiduciary or representative capacity.
- This act also severs the interest of former spouses in property that the spouses held prior to divorce or annulment to become a tenancy in common. This severance does not affect third party interests in the property.
- Once a divorce or annulment is entered, a governing instrument between former spouses shall be given the effect that the former spouses have disclaimed all interests revoked by this act.
- However, any provision of a governing instrument that is revoked by operation of this act shall be revived if former spouses choose to remarry, unless otherwise prohibited. No change of circumstances will revoke a will except as prescribed in the act.
- Under this act, a third party payor or similar entity is not liable for having made a payment to or transferred an item of property or a benefit to a former spouse if they act in good faith reliance on the validity of a governing instrument between former spouses.

The above summary is not an official publication of the Wyoming Legislature and is not an official statement of legislative intent. While the Legislative Service Office endeavored to provide accurate information in this summary, it should not be relied upon as a comprehensive abstract of the bill.

- This act is applicable to all wills and revocable governing instruments that are in effect before, on and after the effective date of the act.

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