

Bill No.: HB0021

Effective: 7/1/2015

LSO No.: 15LSO-0318

Enrolled Act No.: HEA 30

Chapter No.: 51

Prime Sponsor: Stubson

Catch Title: Intestate succession-adopted children.

Subject: Amends provisions relating to intestate succession rights of adopted children.

Summary/Major Elements:

- Under current law, an adopted child can inherit from both the biological parents and from the adoptive parents who do not leave a will.
- This bill would eliminate the right of an adopted child to inherit through intestacy from a biological parent who has lost or otherwise surrendered parental rights. In the case of a child who was adopted by the spouse of a biological parent, the child can inherit from the biological parent who did not surrender parental rights and from the adoptive parent who is, or was, married to the biological parent who did not surrender parental rights.

Comments:

Inheritance through intestacy occurs when a deceased person did not leave a will specifying his/her wishes with respect to whom the decedent's property should pass. In that situation, the State has intestacy statutes directing how the decedent's property will pass to specified survivors.

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