

Intestate succession laws determine who inherits property of a deceased person that did not leave a will. Several fact patterns and the corresponding Texas statutes are described below for reference purposes to establish heirs at law of a decedent.

Married person with children* and death prior to September 1, 1993:

COMMUNITY PROPERTY

Tex. Probate Code §45



SEPARATE PROPERTY

Tex. Probate Code §38(b)(1)



Married person with children* that are all from current marriage and death after September 1, 1993:

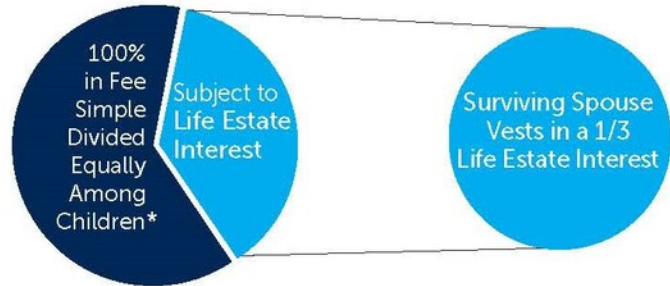
COMMUNITY PROPERTY

Tex. Estates Code §201.003(b)(2)



SEPARATE PROPERTY

Tex. Estates Code §201.002(b)



Married person with children* outside of current marriage and death after September 1, 1993:

COMMUNITY PROPERTY

Tex. Estates Code §201.003(c)



SEPARATE PROPERTY

Tex. Estates Code §201.002(b)



***Note: Descendants of a predeceased person that would otherwise be an heir take their parent's share.**