

# TEXAS INTESTACY CHART

## (REAL PROPERTY ONLY)

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.



**SOUTHWESTERN**  
LAND AND TITLE

### 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:

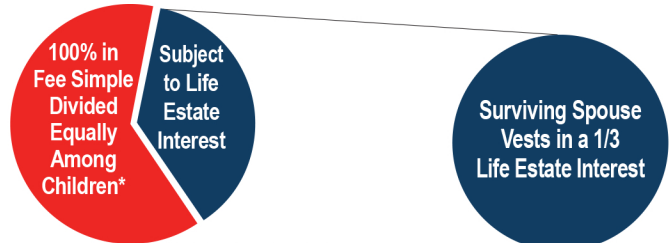
#### COMMUNITY PROPERTY

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:

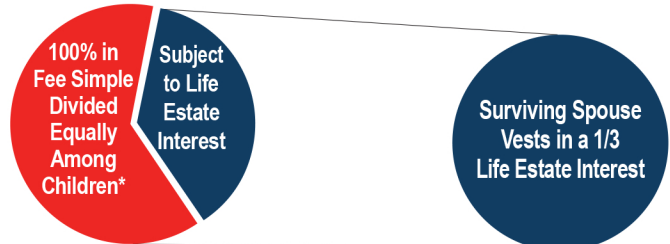
#### COMMUNITY PROPERTY

Tex. Estates Code §201.003(c)



#### SEPARATE PROPERTY

Tex. Estates Code §201.002(b)



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