

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 690

S. P. 241

In Senate, February 22, 1979

Referred to the Committee on Judiciary. Sent down for concurrence and ordered printed.

Presented by Senator Devoe of Penobscot.

MAY M. ROSS, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

**AN ACT to Establish the Descent of Real Estate in Intestate Succession when,
Prior to Death, a Parent has been Cared for by a Child or Children.**

Be it enacted by the People of the State of Maine, as follows:

18 MRSA § 1001, sub-§ 2, is amended by adding after the first sentence a new sentence to read:

Notwithstanding this distribution, if one or more of his children have cared for him in his home for 5 or more years immediately prior to his death, then the real estate comprising that home shall descend in its entirety to those children, in equal shares to each, and shall not be included in the remainder.

STATEMENT OF FACT

This bill changes the present rules of intestate provision. Under this bill, if a person dies without a will and if he has been cared for for 5 or more years immediately prior to his death, then his home is to go directly to those caring children and not to be divided among all his heirs.