

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 1670

(SENATE AUTHORS: COLEMAN)

DATE
02/16/2023

D-PG

Introduction and first reading
Referred to Judiciary and Public Safety

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to probate; modifying exclusions from inheriting from or through a child;
1.3 amending Minnesota Statutes 2022, section 524.2-114.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2022, section 524.2-114, is amended to read:

1.6 **524.2-114 PARENT BARRED FROM INHERITING IN CERTAIN**
1.7 **CIRCUMSTANCES.**

1.8 (a) A parent is barred from inheriting from or through a child of the parent if:

1.9 (1) the parent-child relationship was not judicially established before the child reached
1.10 18 years of age;

1.11 (2) the parent's parental rights were terminated and the parent-child relationship was not
1.12 judicially reestablished; or

1.13 ~~(2) the child died before reaching 18 years of age and~~ (3) there is clear and convincing
1.14 evidence that immediately before the child's death before the child reached 18 years of age
1.15 the parental rights of the parent could have been terminated under law of this state other
1.16 than this chapter on the basis of nonsupport, abandonment, abuse, neglect, or other actions
1.17 or inactions of the parent toward the child.

1.18 (b) For the purpose of intestate succession from or through the deceased child, a parent
1.19 who is barred from inheriting under this section is treated as if the parent predeceased the
1.20 child.

- 2.1 **EFFECTIVE DATE.** This section is effective the day following final enactment and
- 2.2 applies to all probate proceedings commenced on, after, or before that date.