
SENATE BILL 5941

State of Washington

57th Legislature

2001 Regular Session

By Senators Regala, McCaslin, Kline and Oke

Read first time 02/09/2001. Referred to Committee on Judiciary.

1 AN ACT Relating to inheritance rights of parents; and amending RCW
2 11.04.015.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 11.04.015 and 1974 ex.s. c 117 s 6 are each amended to
5 read as follows:

6 The net estate of a person dying intestate, or that portion thereof
7 with respect to which the person shall have died intestate, shall
8 descend subject to the provisions of RCW 11.04.250 and 11.02.070, and
9 shall be distributed as follows:

10 (1) Share of surviving spouse. The surviving spouse shall receive
11 the following share:

12 (a) All of the decedent's share of the net community estate; and

13 (b) One-half of the net separate estate if the intestate is
14 survived by issue; or

15 (c) Three-quarters of the net separate estate if there is no
16 surviving issue, but the intestate is survived by one or more of his or
17 her parents, or by one or more of the issue of one or more of his or
18 her parents; or

1 (d) All of the net separate estate, if there is no surviving issue
2 nor parent nor issue of parent.

3 (2) Shares of others than surviving spouse. The share of the net
4 estate not distributable to the surviving spouse, or the entire net
5 estate if there is no surviving spouse, shall descend and be
6 distributed as follows:

7 (a) To the issue of the intestate; if they are all in the same
8 degree of kinship to the intestate, they shall take equally, or if of
9 unequal degree, then those of more remote degree shall take by
10 representation.

11 (b) If the intestate not be survived by issue, then to the parent
12 or parents who survive the intestate, except that a parent who did not
13 regularly contribute to the support of the intestate when the intestate
14 was a minor may not inherit under this section and the parent shall be
15 deemed to have predeceased the intestate as to property that would have
16 passed to the parent under this section.

17 (c) If the intestate not be survived by issue or by either parent,
18 then to those issue of the parent or parents who survive the intestate;
19 if they are all in the same degree of kinship to the intestate, they
20 shall take equally, or, if of unequal degree, then those of more remote
21 degree shall take by representation.

22 (d) If the intestate not be survived by issue or by either parent,
23 or by any issue of the parent or parents who survive the intestate,
24 then to the grandparent or grandparents who survive the intestate; if
25 both maternal and paternal grandparents survive the intestate, the
26 maternal grandparent or grandparents shall take one-half and the
27 paternal grandparent or grandparents shall take one-half.

28 (e) If the intestate not be survived by issue or by either parent,
29 or by any issue of the parent or parents or by any grandparent or
30 grandparents, then to those issue of any grandparent or grandparents
31 who survive the intestate; taken as a group, the issue of the maternal
32 grandparent or grandparents shall share equally with the issue of the
33 paternal grandparent or grandparents, also taken as a group; within
34 each such group, all members share equally if they are all in the same
35 degree of kinship to the intestate, or, if some be of unequal degree,
36 then those of more remote degree shall take by representation.

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