



# Uniform Law Commission

NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS

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## UNIFORM DISPOSITION OF COMMUNITY PROPERTY RIGHTS AT DEATH ACT

### *Summary*

Spouses who have been domiciled in a community property jurisdiction frequently move to a jurisdiction which has no such system of marital rights. The **Uniform Disposition of Community Property Rights at Death Act (1971)** provides a system for the disposition of estates consisting of *both* separate property of spouses *and* property which was community property (or derived from community property) in which both spouses have an interest.

The Uniform Act has a very limited scope, and is intended to be enacted by non-community property states. The Act defines the dispositive rights, at death, of a married person as to his or her interests at death in property “subject to the Act” and is limited to real property, located in the enacting state, and personal property of a person domiciled in the enacting state.

The purpose of the Act is to preserve the rights of each spouse in property which was community property prior to change of domicile, as well as in property substituted therefore where the spouses have not indicated an intention to sever or alter their “community” rights.

For further information about the UTSA, please contact ULC Chief Counsel Ben Orzeske at (312) 450-6600 or [borzeske@uniformlaws.org](mailto:borzeske@uniformlaws.org).