

New Mexico Compilation Commission

45-2-101. Intestate estate.

A. Any part of a decedent's estate not effectively disposed of by will passes by intestate succession to the decedent's heirs as prescribed in the Uniform Probate Code [[45-1-101](#) NMSA 1978], except as modified by the decedent's will.

B. A decedent by will may expressly exclude or limit the right of an individual or class to succeed to property of the decedent passing by intestate succession. If that individual or a member of that class survives the decedent, the share of the decedent's intestate estate to which that individual or class would have succeeded passes as if that individual or each member of that class had disclaimed his intestate share.

History: 1953 Comp., § 32A-2-101, enacted by Laws 1975, ch. 257, § 2-101; repealed and reenacted by Laws 1993, ch. 174, § 5.