

1 AN ACT relating to inherited property.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 392.020 is amended to read as follows:

4 **(1)** After the death of the husband or wife intestate, the survivor shall have an estate:

5 **(a)** In fee of one-half (1/2) of the surplus real estate of which the other spouse or  
6 anyone for the use of the other spouse, was seized of an estate in fee simple at  
7 the time of death; ~~and shall have an estate~~

8 **(b)** For his or her life in one-third (1/3) of any real estate of which the other  
9 spouse or anyone for the use of the other spouse, was seized of an estate in fee  
10 simple during the coverture but not at the time of death; ~~and~~

11 unless the survivor's right to ~~that~~<sup>such</sup> interest has been barred, forfeited, or  
12 relinquished.

13 **(2)** The survivor shall also have an absolute estate in one-half (1/2) of the surplus  
14 personalty left by the decedent.

15 **(3)** ***Subsection (1)(b) of this section shall not apply to property acquired by a spouse***  
16 ***through inheritance during the marriage if it is not the primary residence of the***  
17 ***married couple.***

18 **(4)** Unless the context otherwise requires, any reference in the statutes of this state to  
19 "dower" or "curtesy" shall be deemed to refer to the surviving spouse's interest  
20 created by this section.