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**Gov. Abbott Signs into Law Texas A&M Professor's
Uniform Partition of Heirs Property Act**

Texas Joins Nine Other States in Providing Families with Enhanced Property Rights

Fort Worth, Texas, May 31, 2017 – In April and May, the Texas House and Senate voted unanimously to approve the Uniform Partition of Heirs' Property Act (UPHPA), principally drafted by Texas A&M law professor Thomas W. Mitchell for the Uniform Law Commission. Gov. Gregory Abbott formally signed the bill into law this week in Austin.

As a result, throughout Texas, families and others now have substantially enhanced property rights as it pertains to certain commonly-owned properties that have a significant degree of family ownership. Such property is often referred to as heirs' property because the undivided interests in these properties are usually transferred by way of state intestacy laws to the legally defined "heirs" of a deceased owner. In Texas as well as in other states, heirs' property owners own many different types of properties in both rural and urban areas, including everything from ranchland and farmland to properties with valuable mineral deposits to single-family homes.

The UPHPA has gained increasing traction since Nevada first enacted it into law in May 2011. Texas is the 10th state to enact the UPHPA into law, joining in sequential order Nevada, Georgia, Montana, Alabama, Arkansas, Connecticut, South Carolina, Hawaii, and New Mexico. Further, the legislature for the District of Columbia has been considering the UPHPA this year and may enact it into law by the end of this summer.

"Texas represents a huge milestone for those of us who have worked for many years to reform partition law to make it significantly more just for heirs' property owners," Professor Mitchell said. "First, Texas has a large number of vulnerable heirs' property owners in urban and rural communities alike throughout the state. Second, given its sheer size and prominence, Texas is a state that often can influence the development of the law in other states. With Texas on board now, it may be easier for us to convince other states to enact the UPHPA into law."

At the federal level, both the Federal Reserve Bank of Atlanta and the U.S. Forest Service have become very interested in heirs' property issues. These two entities have co-convened a daylong summit to discuss the issue in Atlanta on June 15th; Professor Mitchell will serve as keynote speaker. He will address the various problematic manifestations of heirs' property ownership, including but not limited to partition law abuses. In addition, now that there has been progress on addressing partition law abuses which once were widely viewed as being incapable of being addressed, he will work with other attendees to address other seemingly intractable problems with heirs' property ownership.

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