

Elective Share Laws by State

State	Share	Comments
Alabama	1/3 or 1/2	The combined estate, depending on the presence of children
Alaska	1/3	of the elective estate
Arizona	1/3	of the net elective estate
Arkansas	1/3 or 1/2	The combined estate, depending on the presence of children
California	1/3	of the decedent's estate
Colorado	1/3 or 1/2	The combined estate, depending on the length of the marriage
Connecticut	1/3	Of the combined estate
Delaware	1/3	Of the combined estate
Florida	30%	Of the elective estate
Georgia	1/3	Of the combined estate
Hawaii	1/3 or 1/2	The combined estate, depending on the presence of children
Idaho	1/2	Of the combined estate
Illinois	1/3 or 1/2	The estate, depending on the presence of descendants
Indiana	1/3	Of the combined estate
Iowa	1/3 or 1/2	The combined estate, depending on the presence of children
Kansas	1/2	Of the combined estate
Kentucky	1/3	Of the combined estate
Louisiana	1/4 or 1/2	The combined estate, depending on the presence of children
Maine	1/3	Of the combined estate
Maryland	1/3	Of the combined estate
Massachusetts	1/3 or 1/2	The combined estate, depending on the length of the marriage
Michigan	1/2	Of the combined estate
Minnesota	1/3	Of the combined estate
Mississippi	1/3 or 1/2	The combined estate, depending on the presence of children
Missouri	1/2	Of the combined estate
Montana	1/3	Of the combined estate
Nebraska	1/3 or 1/2	The combined estate, depending on the presence of children
Nevada	1/3	Of the combined estate
New Hampshire	1/3	Of the combined estate
New Jersey	1/3	Of the combined estate
New Mexico	1/3 or 1/2	The combined estate, depending on the presence of children
New York	The greater	\$50,000 or 1/3 of the estate

North Carolina	50%	Of the net elective estate
North Dakota	1/3	Of the combined estate
Ohio	1/3	Of the combined estate
Oklahoma	1/3 or 1/2	The combined estate, depending on the presence of children
Oregon	1/3	Of the combined estate
Pennsylvania	1/3	Of the combined estate
Rhode Island	1/3 or 1/2	The combined estate, depending on the length of the marriage
South Carolina	1/3	Of the combined estate
South Dakota	1/3	Of the combined estate
Tennessee	1/3 or 1/2	The combined estate, depending on the presence of children
Texas	1/3, 1/2, or 1/4	Depending on the presence of Children
Utah	1/3	Of the combined estate
Vermont	1/3 or 1/2	The combined estate, depending on the length of the marriage
Virginia	1/3	Of the combined estate
Washington	1/2	Of the combined estate
West Virginia	1/3 or 1/2	The combined estate, depending on the length of the marriage
Wisconsin	1/3	Of the combined estate
Wyoming	1/3	Of the combined estate