

Exempt Property, Family and Homestead Allowances

Allowances and Exempt Property Amended by Alabama Act 2015-484 (SB327)

Code of Alabama §§43-8-110 to 113

On June 11, 2015, SB327 was signed into law, increasing the amounts of the homestead allowance, personal property exemption and family allowance available to a decedent's surviving spouse. Section 43-8-110 is now amended to increase the homestead allowance from \$6,000.00 to \$15,000.00. If there is no surviving spouse, each child/dependent of the decedent is entitled to the \$15,000.00 allowance divided by the number of surviving children/dependents. The bill also raised the personal property exemption under §43-8-111 from \$3,500.00 to \$7,500.00. If there is no surviving spouse of the decedent, then the surviving children are entitled to the \$7,500.00 personal property allowance. Finally, §43-8-113 is amended to raise the family allowance available to the surviving spouse, minor children and dependent children from \$6,000.00 to \$15,000.00. This amount may be paid out in a lump sum or in periodic installments of up to \$500.00 per month.

A new Code Section has been added to address rising costs of living. Pursuant to the new §43-8-116, beginning July 1, 2017, and at the end of every subsequent three year period, the State Treasurer will adjust the dollar amounts for each allowance to reflect the change in the Consumer Price Index published by the U.S. Department of Labor.