**§2-403. Exempt property**

In addition to the homestead allowance, the decedent's surviving spouse is entitled from the estate to a value, not exceeding $15,000 in excess of any security interests in the estate of tangible personal property, including, but not limited to, in household furniture, automobiles, furnishings, appliances and personal effects. Except as otherwise provided in this section, if there is no surviving spouse, children of the decedent are entitled jointly to the same value. If encumbered chattels are selected and the value in excess of security interests, plus that of other exempt property, is less than $15,000, or if there is not $15,000 worth of exempt property in the estate, the spouse or children are entitled to other assets of the estate, if any, to the extent necessary to make up the $15,000 value. The rights to exempt property and assets needed to make up a deficiency of exempt property have priority over all claims against the estate other than costs and expenses of administration and reasonable funeral expenses, except that the right to any assets to make up a deficiency of exempt property abates as necessary to permit earlier payment of homestead allowance and family allowance. The right to exempt property is in addition to any benefit or share passing to the surviving spouse or children by intestate succession or by way of elective share and is in addition to any benefit or share passing to the surviving spouse or children by the decedent's will unless the decedent's will expressly provides that the benefit or share passing to the surviving spouse or children is intended to be made in lieu of the exempt property right or unless the decedent's will expressly excludes one or more adult children from the receipt of exempt property without providing a benefit or share in lieu thereof. The personal representative shall promptly satisfy the exempt property from available assets. [PL 2023, c. 4, §5 (AMD).]

SECTION HISTORY

PL 2017, c. 402, Pt. A, §2 (NEW). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF). PL 2023, c. 4, §5 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1. 2023
. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.