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AN ACT

RELATING TO PROBATE; CLARIFYING PARENT AND CHILD RELATIONSHIP
INTESTATE INHERITANCE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 45-2-114 NMSA 1978 (being Laws 1993, Chapter 174,
Section 16) is amended to read:

"45-2-114. PARENT AND CHILD RELATIONSHIP.--

A. Except as provided in Subsections B and C of this section, for
purposes of intestate succession by, through or from a person, an individual is the
child of his natural parents, regardless of their marital status. The parent and child
relationship may be established under the Uniform Parentage Act.

B. An adopted individual is the child of his adopting parent or
parents and not of his natural parents, but adoption of a child by the spouse of
either natural parent has no effect on:

(1) the relationship between the child and that natural parent;

or

(2) the right of the child or a descendant of the child to inherit
from or through that nonsevered natural parent.

C. Inheritance from or through a child by either natural parent or his
kindred is precluded unless that natural parent has openly treated the child as his
and has
not refused to support the child."

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