Your State at a Glance — 2027 Edition

The state-by-state tables from the 2027 editions of *Get Your Affairs in Order* and *Wills, Trusts & Estate Planning*, with statutory citations. Reviewed November 2026. Chapter references are to *Get Your Affairs in Order*.

"Check your state's rules" only helps if someone tells you what the rules are. These tables do. For all fifty states and the District of Columbia, the tables below answer the four questions that actually change what you do:

1. **The small-estate shortcut.** Below a certain dollar amount, your heirs can often skip formal probate entirely — usually with a simple sworn form called a *small estate affidavit*, sometimes with a faster court procedure. The limit is different in every state, and it is the single most useful number in these tables. If your estate (or one you're helping settle) falls under it, Chapter 9's probate planning gets dramatically easier.
2. **Witnesses.** How many people must watch you sign your will.
3. **Handwritten wills.** Whether your state accepts a *holographic* will — one written in your own hand, with no witnesses. (Even where it's legal, treat it as an emergency backup, not a plan.)
4. **Marital property system.** Whether your state is *common law* or *community property* — which decides what "yours" even means when one spouse dies, and matters long before anyone reads a will.

A note on notaries, because this is the most persistent myth in estate planning: **in fifty of these fifty-one jurisdictions, a will does not need a notary to be valid.** The notary usually appears only for the optional *self-proving affidavit* — a page attached to the will that lets it enter probate without tracking down the witnesses years later. It's worth doing, and your attorney or online service will include it. The exceptions worth knowing: in **Louisiana**, the standard (notarial) will is signed before a notary by design; in **Colorado** and **North Dakota**, a notary can stand in *instead of* the two witnesses; and in **California**, **Illinois**, and **Indiana**, a will can be self-proving with no notary at all.

How to read the tables. Dollar figures are the latest published at press time (November 2026). Where a state had not yet announced its 2027 figure, the table shows the 2026 figure and says so. Several states adjust these limits every year by inflation (marked *indexed*), and 2025 alone saw Alabama, Arizona, California, Illinois, Nevada, South Carolina, Utah, Virginia, West Virginia, Wyoming, and the District of Columbia change theirs. Most affidavit procedures also carry a short waiting period after death (often 30 to 60 days) and most cover personal property only — bank accounts, vehicles, belongings — not real estate, unless the table says otherwise. Statutory citations for every figure follow the tables, so you or your attorney can look anything up.

> **One rule before you rely on a number:** these tables tell you which questions to ask and roughly where your state stands. They are a map, not legal advice. Limits change, and the details (what counts toward the limit, who may sign the affidavit) live in the statutes. Confirm the current figure before acting — it takes one search of your state's court website.

> **These numbers change.** For a free email each year when the new federal limits and state figures are out, visit **ellisfamilyguides.com/updates**.

The tables: Alabama to Illinois

State	The small-estate shortcut	Witnesses	Handwritten will?	Property system
Alabama	About $47,000 — the sum of three statutory family allowances (system rewritten Oct 2025; $51,175 for claims from Apr 2027), only if there is no real estate	2	No	Common law
Alaska	$50,000 personal property, plus up to $100,000 in vehicles	2	Yes	Common law (community property by opt-in agreement)
Arizona	$200,000 personal / $300,000 real estate after liens (raised Sept 2025)	2	Yes	Community property
Arkansas	$100,000, 45-day wait	2	Yes, with extra proof at probate	Common law
California	$208,850 (deaths from Apr 2025; next adjustment Apr 2028) plus a home petition up to $750,000	2	Yes	Community property
Colorado	$88,000 for deaths in 2026 ($86,000 for 2025), adjusted yearly	2 — or a notary instead	Yes	Common law
Connecticut	$40,000, filed through probate court	2	No	Common law
Delaware	$50,000 (raised June 2026)	2	No	Common law
Florida	No general affidavit (bank funds to $2,000); summary administration up to $150,000 (raised 2026)	2, strict signing rules	No	Common law (community property trust by opt-in)
Georgia	No dollar limit — court process when there is no will, all heirs agree, and debts are paid or creditors consent; bank accounts to $15,000 by affidavit	2, age 14 or older	No	Common law
Hawaii	$100,000, vehicles not counted	2	Yes	Common law
Idaho	$100,000	2	Yes	Community property
Illinois	$150,000 (deaths from Aug 15, 2025)	2	No	Common law

The tables: Indiana to Montana

State	The small-estate shortcut	Witnesses	Handwritten will?	Property system
Indiana	$100,000, 45-day wait	2	No	Common law
Iowa	$100,000 by affidavit (doubled July 2026); court process up to $200,000	2, age 16 or older	No	Common law
Kansas	$75,000, notarized affidavit	2	No	Common law
Kentucky	Court order, tied to the $30,000 family exemption	2	Yes	Common law (community property trust by opt-in)
Louisiana	$200,000 (raised Aug 2026); $125,000 if the owner lived out of state	Notary plus 2 witnesses	Yes	Community property, with forced heirship
Maine	$52,500 for deaths in 2026, indexed yearly	2	Yes	Common law

State	The small-estate shortcut	Witnesses	Handwritten will?	Property system
Maryland	$50,000; $100,000 if the spouse inherits everything	2	Military only	Common law
Massachusetts	$25,000 plus one vehicle	2	No	Common law
Michigan	About $53,000 for 2026, indexed yearly (base more than tripled in 2024)	2	Yes	Common law
Minnesota	$75,000	2	No	Common law
Mississippi	$75,000	2	Yes	Common law
Missouri	$40,000, and it can include real estate	2	No	Common law
Montana	$100,000 (doubled in 2023)	2	Yes	Common law

The tables: Nebraska to Rhode Island

State	The small-estate shortcut	Witnesses	Handwritten will?	Property system
Nebraska	$100,000 personal / $100,000 real estate	2	Yes, date included by hand	Common law
Nevada	$150,000 for spouses (raised Oct 2025) / $25,000 for others; summary administration to $500,000	2	Yes, dated	Community property
New Hampshire	No dollar limit — simplified waiver in limited situations	2	No	Common law
New Jersey	$50,000 spouse / $20,000 others — only when there is no will	2	Yes	Common law
New Mexico	$50,000, plus the family home to a spouse up to $500,000	2, strict signing rules	No	Community property
New York	$50,000, real estate excluded	2, within 30 days	Military and sailors only	Common law
North Carolina	$20,000; $30,000 if the spouse is sole heir	2	Yes, with extra proof at probate	Common law
North Dakota	$100,000 (doubled in 2023)	2 — or a notary instead	Yes	Common law
Ohio	$35,000 by court release; $100,000 when all goes to the spouse	2	No	Common law
Oklahoma	$50,000 by affidavit; summary administration to $300,000 (raised 2026)	2	Yes, dated	Common law
Oregon	$75,000 personal plus $200,000 real estate	2	No	Common law
Pennsylvania	$50,000 by court petition, no real estate	None required for a signed will	Yes, in effect	Common law
Rhode Island	$15,000 — the lowest in the nation	2	No	Common law

The tables: South Carolina to Wyoming, plus D.C.

State	The small-estate shortcut	Witnesses	Handwritten will?	Property system
South Carolina	$45,000 (raised May 2025)	2	No	Common law
South Dakota	$100,000	2	Yes	Common law (community property trust by opt-in)
Tennessee	$50,000, by court petition	2	Yes, with extra proof at probate	Common law (community property trust by opt-in)
Texas	$75,000 when there is no will (homestead not counted; it passes this way only to a spouse or minor children); with a will, the muniment of title shortcut	2, age 14 or older	Yes	Community property
Utah	$100,000 (since 2025, water shares cannot pass this way)	2	Yes	Common law
Vermont	Simplified court process up to $45,000	2	No	Common law
Virginia	$75,000 (raised July 2025)	2	Yes, with extra proof at probate	Common law
Washington	$100,000	2	No	Community property
West Virginia	$50,000, only if there is no real estate in probate	2	Yes	Common law
Wisconsin	$50,000, and it can include real estate	2	No	Community property ("marital property")
Wyoming	$400,000 (raised July 2025), including real estate through summary distribution	2	Yes	Common law
District of Columbia	$80,000 (doubled March 2025)	2	No	Common law

The Louisiana page. If you live in Louisiana, this page is for you: your state runs on civil law, not the common law the other forty-nine share. Three things to know. First, the standard will here is the *notarial testament*: signed before a notary **and** two witnesses. Louisiana is the only state where a notary is required for the standard will. (The fully handwritten *olographic* will is also valid — dated and signed in your own hand.) Second, **forced heirship**: children age 23 or younger, and children of any age who are permanently unable to care for themselves or their property, are entitled to a protected share of your estate. You cannot will everything away from them, a rule unique in America. Third, Louisiana is a community property state, so half of what was built during the marriage already belongs to your spouse. If any page of this book deserves a local attorney's hour, it's this one. Bring the worksheets; the thinking transfers even where the vocabulary doesn't.

If you live in a community property state: Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas, Washington, and Wisconsin treat most property acquired during marriage as owned half-and-half — automatically. Alaska, South Dakota, Tennessee, Kentucky, and Florida let couples opt in through a special agreement or trust. This changes the math in Chapters 3 and 4: your will only controls *your* half, and the tax treatment at the first death is different (often favorably so). If you're married and live in one of these states, say so in your first sentence to any attorney or online service — it reroutes half the advice.

If your state has no affidavit shortcut: Connecticut, Florida, Georgia, Kentucky, New Hampshire, Ohio, Pennsylvania, Tennessee, and Vermont mainly route small estates through a simplified *court* process instead of a signed form — and in New Jersey the affidavit only exists when there is no will. The strategy in Chapter 9 doesn't change: keep probate assets lean with beneficiary designations and POD/TOD registrations, and the court version of "small" gets just as easy.

If your state taxes estates or inheritances: Connecticut, Hawaii, Illinois, Maine, Maryland, Massachusetts, Minnesota, New York, Oregon, Rhode Island, Vermont, Washington, and D.C. tax estates; Kentucky, Maryland, Nebraska, New Jersey, and Pennsylvania tax inheritances. Chapters 9 and 13 explain what that means for your family.

What changed lately. In 2025 alone: Arizona raised its limits, Illinois went to $150,000, Nevada raised its spouse and summary limits, South Carolina nearly doubled, Virginia went to $75,000, Utah narrowed what the affidavit can move, Alabama replaced its formula entirely, California moved to a dated schedule (and added a $750,000 home petition), the District of Columbia doubled to $80,000, Wyoming doubled to $400,000, and West Virginia shut real estate out. Michigan, Montana, Nebraska, and North Dakota all raised theirs the two years before. In 2026, Delaware, Florida, Iowa, Louisiana, and Oklahoma raised theirs. These tables are reviewed with every yearly edition of the books.

Statutory citations: small estates and wills

For every figure in the tables above, so you or your attorney can check the source directly. Small-estate statute first, then the will-formalities statute. Where a figure changed recently, the last column names the law that changed it.

State	Key statutes (small estate · wills)	Recent change
Alabama	Ala. Code § 43-2-692 (allowance system: §§ 43-8-110 to -116, since Oct 2025) · § 43-8-131	
Alaska	AS 13.16.680 · AS 13.12.502	
Arizona	A.R.S. § 14-3971 · § 14-2502	
Arkansas	Ark. Code § 28-41-101 · § 28-25-103	
California	Prob. Code § 13100, §§ 13150 ff. · § 6110	
Colorado	C.R.S. § 15-12-1201 · § 15-11-502	
Connecticut	C.G.S. § 45a-273 · § 45a-251	
Delaware	12 Del. C. § 2306 · § 202	85 Del. Laws c. 281 (2026)
Florida	Fla. Stat. § 735.201 · § 732.502	Laws of Fla. ch. 2026-57
Georgia	O.C.G.A. §§ 53-2-40 ff., § 7-1-239 · § 53-4-20	
Hawaii	HRS § 560:3-1201 · § 560:2-502	
Idaho	Idaho Code § 15-3-1201 · § 15-2-502	
Illinois	755 ILCS 5/25-1 · 5/4-3	
Indiana	Ind. Code § 29-1-8-1 · § 29-1-5-3	
Iowa	Iowa Code § 633.356, ch. 635 · § 633.279	Iowa HF 2660 (2026)
Kansas	K.S.A. § 59-1507b · § 59-606	
Kentucky	KRS § 391.030, § 395.455 · § 394.040	
Louisiana	La. C.C.P. art. 3421 · La. C.C. arts. 1575–1577	La. Act 293 (2026)
Maine	18-C M.R.S. § 3-1201 · § 2-502	
Maryland	Md. Est. & Trusts § 5-601 · § 4-102	
Massachusetts	MGL c. 190B § 3-1201 · § 2-502	
Michigan	MCL 700.3982, 700.3983 · 700.2502	
Minnesota	Minn. Stat. § 524.3-1201 · § 524.2-502	
Mississippi	Miss. Code § 91-7-322 · § 91-5-1	
Missouri	Mo. Rev. Stat. § 473.097 · § 474.320	
Montana	MCA § 72-3-1101 · § 72-2-522	
Nebraska	Neb. Rev. Stat. § 30-24,125 · § 30-2327	Neb. LB 1195 (2024)
Nevada	NRS 146.070, 146.080, ch. 145 · NRS 133.040, 133.090	
New Hampshire	RSA 553:32 · RSA 551:2	
New Jersey	N.J.S.A. 3B:10-3, 3B:10-4 · 3B:3-2	

State	Key statutes (small estate · wills)	Recent change
New Mexico	NMSA § 45-3-1201, § 45-3-1205 · § 45-2-502	
New York	SCPA § 1301 · EPTL 3-2.1	
North Carolina	N.C.G.S. §§ 28A-25-1, -1.1 · §§ 31-3.3, -3.4	
North Dakota	N.D.C.C. § 30.1-23-01 · § 30.1-08-02	
Ohio	ORC § 2113.03 · § 2107.03	
Oklahoma	58 O.S. §§ 393, 245 · 84 O.S. §§ 54–55	Okla. HB 2650 (2026)
Oregon	ORS § 114.510 · § 112.235	
Pennsylvania	20 Pa.C.S. § 3102 · § 2502	
Rhode Island	R.I. Gen. Laws § 33-24-1 · tit. 33, ch. 5	
South Carolina	S.C. Code § 62-3-1201 · § 62-2-502	
South Dakota	SDCL § 29A-3-1201 · § 29A-2-502	
Tennessee	T.C.A. §§ 30-4-102, -103 · §§ 32-1-104, -105	
Texas	Tex. Est. Code § 205.001 · §§ 251.051, .052	
Utah	Utah Code § 75-3-1201 · § 75-2-502	
Vermont	14 V.S.A. § 1902 · § 5	
Virginia	Va. Code §§ 64.2-601, -602 · § 64.2-403	
Washington	RCW 11.62.010 · 11.12.020	
West Virginia	W. Va. Code §§ 44-1A-1, -2 · § 41-1-3	W. Va. HB 2867 (2025)
Wisconsin	Wis. Stat. § 867.03 · § 853.03	
Wyoming	Wyo. Stat. §§ 2-1-201, -205 · §§ 2-6-112, -113	Wyo. 2025 Enrolled Act 85
District of Columbia	D.C. Code § 20-351 · § 18-103	

Transfer-on-death deeds and state death taxes

From the state tables in *Wills, Trusts & Estate Planning* (2027 Edition). Where a state offers a transfer-on-death deed, the short citation of the statute is given, so your attorney or title company can find it in one search.

State	Transfer-on-death deed	State estate / inheritance tax
Alabama	No	None
Alaska	Yes — AS § 13.48.010 ff.	None
Arizona	Yes — "beneficiary deed," A.R.S. § 33-405	None
Arkansas	Yes — "beneficiary deed," Ark. Code § 18-12-608	None
California	Yes — Prob. Code § 5600 ff.; special signing rules	None
Colorado	Yes — "beneficiary deed," C.R.S. § 15-15-401 ff.	None
Connecticut	No	Estate tax: exemption tied to the federal $15.48 million (2027, indexed), flat 12% — plus the nation's only state gift tax
Delaware	Yes — new: 25 Del. C. § 201 ff. (effective Dec 2025)	None
District of Columbia	Yes — D.C. Code § 19-604.01 ff.	Estate tax: $4,988,400 (2026, indexed), up to 16%
Florida	No — but the "lady bird" deed is recognized	None
Georgia	Yes — new: O.C.G.A. § 44-17-1 ff. (2024, amended 2026); acceptance rule	None
Hawaii	Yes — HRS ch. 527	Estate tax: $5.49 million, 10–20%
Idaho	No — a 2026 bill did not pass	None
Illinois	Yes — 755 ILCS 27	Estate tax: $4 million (fixed), up to 16%
Indiana	Yes — Ind. Code § 32-17-14	None
Iowa	No	None — inheritance tax fully repealed for deaths from 2025
Kansas	Yes — K.S.A. § 59-3501 ff.	None
Kentucky	No	Inheritance tax: spouse, children, grandchildren, parents, siblings exempt; distant heirs 4–16%
Louisiana	No	None
Maine	Yes — 18-C § 6-401 ff.	Estate tax: $7.16 million (2026, indexed), top rate 12%
Maryland	Yes — brand-new: HB 738 (2026), usable from Oct 1, 2026	Both: estate tax $5 million (fixed), up to 16% — plus a 10% inheritance tax (close family exempt)
Massachusetts	No	Estate tax: $2 million (fixed), up to 16%
Michigan	No — but the "lady bird" deed is recognized	None
Minnesota	Yes — Minn. Stat. § 507.071	Estate tax: $3 million (fixed), 13–16%
Mississippi	Yes — Miss. Code § 91-27-1 ff.	None

State	Transfer-on-death deed	State estate / inheritance tax
Missouri	Yes — “beneficiary deed,” § 461.025 (the first in the nation, 1989)	None
Montana	Yes — “beneficiary deed,” MCA § 72-6-401 ff.	None
Nebraska	Yes — § 76-3401 ff.	Inheritance tax: spouse exempt, heirs under 22 exempt; others 1–15% by kinship
Nevada	Yes — NRS 111.655 ff.	None
New Hampshire	Yes — new: RSA ch. 563-D (2024)	None
New Jersey	No	Inheritance tax: spouse, children, grandchildren, parents, stepchildren exempt; others 11–16%
New Mexico	Yes — NMSA § 45-6-401 ff.	None
New York	Yes — new: Real Prop. Law § 424 (2024); strict signing rules	Estate tax: $7.35 million (2026, indexed), 3.06–16% — with a “cliff,”
North Carolina	No	None
North Dakota	Yes — N.D.C.C. ch. 30.1-32.1	None
Ohio	Yes, via a TOD *affidavit* — ORC § 5302.22; same result	None
Oklahoma	Yes — 58 O.S. § 1251 ff.	None
Oregon	Yes — ORS 93.948 ff.	Estate tax: $1 million — the lowest threshold in the nation, 10–16%
Pennsylvania	No	Inheritance tax: spouse 0%, children and parents 4.5% (0% between a parent and a child 21 or younger), siblings 12%, others 15%
Rhode Island	No	Estate tax: about $1.84 million (2026, indexed), up to 16%
South Carolina	No	None
South Dakota	Yes — SDCL § 29A-6-401 ff.	None
Tennessee	No	None
Texas	Yes — Est. Code ch. 114; the “lady bird” deed is recognized as well	None
Utah	Yes — § 75-6-401 ff.	None
Vermont	No	Estate tax: $5 million (fixed), flat 16%
Virginia	Yes — § 64.2-621 ff.	None
Washington	Yes — RCW ch. 64.80	Estate tax: $3,000,000, top rate 20% (deaths from July 2026) — changed twice recently
West Virginia	Yes — § 36-12-1 ff.	None
Wisconsin	Yes — Wis. Stat. § 705.15	None
Wyoming	Yes — § 2-18-101 ff.	None

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