

118TH CONGRESS
2D SESSION

H. R. 8127

To establish a grant program for States that adopt the Uniform Partition of Heirs Property Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 2024

Ms. WILLIAMS of Georgia (for herself, Mrs. FLETCHER, Mr. CLEAVER, and Mr. DONALDS) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To establish a grant program for States that adopt the Uniform Partition of Heirs Property Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Heirs Estate Inherit-
5 ance Resolution and Succession Act of 2024” or the
6 “HEIRS Act of 2024”.

1 **SEC. 2. GRANTS FOR ELIGIBLE ENTITIES THAT ADOPT THE**
2 **UNIFORM PARTITION OF HEIRS PROPERTY**
3 **ACT.**

4 (a) IN GENERAL.—The Secretary of Housing and
5 Urban Development shall, not later than 1 year after the
6 date of the enactment of this section, establish a grant
7 program that provides amounts to eligible entities that—

8 (1) before the date of the enactment of this sec-
9 tion, had enacted or adopted the Uniform Partition
10 of Heirs Property Act as approved and rec-
11 ommended for enactment in all the States by the
12 National Conference of Commissioners on Uniform
13 State Laws in 2010 or a similar law that the Sec-
14 retary determines is a substantial equivalent; and

15 (2) on or after the date of the enactment of this
16 section, enact or adopt the Uniform Partition of
17 Heirs Property Act as approved and recommended
18 for enactment in all the States by the National Con-
19 ference of Commissioners on Uniform State Laws in
20 2010 or a similar law that the Secretary determines
21 is a substantial equivalent.

22 (b) USE OF AMOUNTS.—

23 (1) IN GENERAL.—Each eligible entity that re-
24 ceives amounts under this section shall use such
25 amounts to assist residents of such eligible entity
26 with bona fide expenses relating to establishing and

1 documenting property ownership rights or settling a
2 decedent's estate, including fees and costs related to
3 obtaining title reports and title abstracts, copies of
4 public records, land surveys, estate planning, heirs
5 search or tracing services, recording and filing fees,
6 notary fees, and legal fees and expenses.

7 (2) LAYERING OF ASSISTANCE.—An eligible en-
8 tity that receives amounts under this section may
9 use such amounts to assist residents of such State
10 who are receiving assistance from other sources, in-
11 cluding Federal, State, local, private, public, and
12 nonprofit sources.

13 (c) REGULATIONS AND CRITERIA FOR SELECTION.—
14 The Secretary shall, not later than 1 year after the date
15 of the enactment of this section, issue a rule to carry out
16 this section, that includes criteria for the selection of re-
17 cipients.

18 (d) AUTHORIZATION OF APPROPRIATIONS.—

19 (1) IN GENERAL.—There are authorized to be
20 appropriated to the Secretary of Housing and Urban
21 Development \$30,000,000 each of year fiscal years
22 2025 through 2035 to carry out this section.

23 (2) AVAILABILITY.—Any amounts appropriated
24 under this subsection shall remain available until ex-
25 pended.

1 (e) DEFINITIONS.—In this section:

2 (1) SECRETARY.—The term “Secretary” means
3 the Secretary of Housing and Urban Development.

4 (2) ELIGIBLE ENTITY.—The term “eligible enti-
5 ty” means a “State” and a “unit of general local
6 government” as such terms are defined in section
7 102 of title 1 of the Housing and Community Devel-
8 opment Act of 1974 (42 U.S.C. 5302) a territory,
9 or a Tribal government.

10 **SEC. 3. GRANTS TO PROVIDE ASSISTANCE RELATING TO**
11 **HEIRS’ PROPERTY RESOLUTION.**

12 (a) IN GENERAL.—The Secretary of Housing and
13 Urban Development shall carry out a program under this
14 section to provide grants each year to eligible entities to
15 use to provide housing counseling, legal assistance, and
16 financial assistance related to title clearing and home re-
17 tention efforts for owners of heirs’ property.

18 (b) AWARDS.—The Secretary shall consider the fol-
19 lowing when awarding grants under this section:

20 (1) Whether the eligible entity has a proven
21 track record of—

22 (A) providing assistance to homeowners;

23 (B) targeting services to minority and low-
24 and moderate-income persons; and

1 (C) providing services in neighborhoods
2 that have a high concentrations of minority per-
3 sons or low- and moderate-income persons.

4 (2) Whether the eligible entity has planned or
5 existing partnerships with other eligible entities.

6 (3) Whether the eligible entity is located in an
7 area with a high number of owners of heirs' prop-
8 erty, as determined by the Secretary.

9 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
10 authorized to be appropriated to the Secretary, for grants
11 under this section, \$10,000,000 in each of fiscal years
12 2025 through 2029.

13 (d) DEFINITIONS.—For purposes of this section, the
14 following definitions shall apply:

15 (1) ELIGIBLE ENTITY.—The term “eligible enti-
16 ty” means—

17 (A) a HUD approved housing counseling
18 agency;

19 (B) a legal services clinics operated by an
20 institute of higher education; or

21 (C) a qualifying nonprofit.

22 (2) HEIRS' PROPERTY.—The term “heirs' prop-
23 erty” means residential property for which title
24 passed by operation of law through intestacy and is
25 held by two or more heirs as tenants in common.

1 (3) HUD APPROVED HOUSING COUNSELING
2 AGENCY.—The term “HUD approved housing coun-
3 seling agency” means a housing counseling agency
4 found eligible to receive assistance by the Depart-
5 ment of Housing and Urban Development under sec-
6 tion 106(a)(2) of the Housing and Urban Develop-
7 ment Act of 1968.

8 (4) LOW- AND MODERATE-INCOME PERSONS.—

9 (A) IN GENERAL.—The term “low- and
10 moderate-income persons” means a person
11 whose household income does not exceed 120
12 percent of the median income for the area, as
13 determined by the Secretary, within which—

14 (i) the heirs’ property which respect to
15 which the homeowner is seeking assistance
16 is located; or

17 (ii) the place of residence of the home-
18 owner is located.

19 (B) EXCEPTION.—If the area described in
20 subparagraph (A) is a high-cost area, as deter-
21 mined by the Secretary, the term “low- and
22 moderate-income persons” means a homeowner
23 whose household income does not exceed 140
24 percent of the median income for the area.

1 (5) QUALIFYING NONPROFIT.—The term
2 “qualifying nonprofit” means a nonprofit, mission-
3 driven entity that, as determined by the Secretary—

4 (A) has a track record of providing assist-
5 ance to homeowners;

6 (B) targets services to minority and low-
7 and moderate-income persons; or

8 (C) provides services in neighborhoods that
9 have high concentrations of minority persons
10 and low- and moderate-income persons.

11 (6) SECRETARY.—The term “Secretary” means
12 the Secretary of Housing and Urban Development.

13 **SEC. 4. HEIRS’ PROPERTY HOUSING COUNSELING.**

14 Section 106(g) of the Housing and Urban Develop-
15 ment Act of 1968 (12 U.S.C. 1701x(g)) is amended by
16 adding at the end the following new paragraph:

17 “(6) COUNSELING WITH RESPECT TO HEIRS’
18 PROPERTY.—

19 “(A) IN GENERAL.—Any nonprofit organi-
20 zation that receives amounts under this section
21 shall, when providing homeownership counseling
22 services to consumers—

23 “(i) explain to such consumer what
24 heirs’ property is, the risks associated with

1 heirs' property, and how to avoid heirs'
2 property issues; and

3 “(ii) inform consumers of all available
4 estate planning and title clearing options,
5 assistance, and services, including those of-
6 fered under sections 2 and 3 of the Heirs
7 Estate Inheritance Resolution and Succes-
8 sion Act of 2024.

9 “(B) REFERRAL.—The Secretary shall en-
10 sure that each nonprofit organization that re-
11 ceives amounts under this section knows how to
12 refer consumers, where appropriate, to mission-
13 driven nonprofit organizations and legal services
14 clinics operated by institutes of higher edu-
15 cation that are capable of assisting a consumer
16 to clear title and with general estate planning.

17 “(C) HEIRS' PROPERTY.—The term ‘heirs’
18 property’ means residential property for which
19 title passed by operation of law through intes-
20 tacy and is held by two or more heirs as ten-
21 ants in common.”.

○