

1 **Appendix**

2 States With Homestead Exemptions Greater Than \$125,000²³

3 <u>Jurisdiction</u>	<u>Opt-In?</u>	<u>Homestead dollar limit</u>	<u>Citation</u>
4 States where a debtor makes an election between state and federal exemptions:			
5 D.C.	Yes	Unlimited	D.C. Code Ann. § 15-501(a)(14)
6 Texas	Yes	Unlimited	Tex. Const. art. 16, §§ 50 and 51, and Tex. Prop. Code §§ 41.001 and 41.002
7 Massachusetts	Yes	\$500,000	Mass. Ann. Laws ch 188, §§ 1 and 1A
8 Minnesota	Yes	\$200,000	Minn. Stat. §§ 510.02
Rhode Island	Yes	\$200,000	R.I. Gen. Laws § 9-26-4.1
9 States where a debtor has no choice and must use the state exemption:			
10 Florida	No	Unlimited	Fla. Const art. 10, § 4, and Fla. Stat. Ann. § 222.01
11 Iowa	No	Unlimited	Iowa Code Ann. § 561.16
12 Kansas	No	Unlimited	Kan. Stat. Ann § 60-2301
13 Oklahoma	No	Unlimited	Okla. Stat. Title 31, § 1.A.1
Nevada	No	\$350,000	Nev. Rev. Stat. §§ 115.010.2 and 21.090.1(l)
14 Arizona	No	\$150,000	Ariz. Rev. Stat. 33-1101

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19 ²³This table is limited to states whose homestead exemptions are greater than \$125,000,
20 because that is the limit under Section 522(p). In addition, compiling a table of homestead
21 exemptions for all states is complicated by the fact that there is no uniformity of approach to
22 exemptions. For example, Delaware has no explicit homestead exemption, but debtors in Delaware
23 may exempt “property having an aggregate fair market value of not more than \$25,000.” DEL.
24 CODE ANN., tit. 10 § 4914(b). So a debtor in Delaware could arguably exempt only \$25,000 of a
25 homestead, or, as some have read, exempt no homestead at all. Further, some states create
categories of homestead exemptions, and some of those categories may permit exemptions of more
than \$125,000. See, e.g. CAL. CODE CIV. PRO. 704.730(a)(3) (homestead of \$150,000 provided for
disabled debtors, debtors over the age of 65, and debtors whose gross annual income is less than
\$15,000). We do not list those states here.