

By: Taylor of Galveston

H.B. No. 1209

A BILL TO BE ENTITLED

AN ACT

relating to a probate fee exemption for estates of certain law enforcement officers, firefighters, and others killed in the line of duty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE 1. TEXAS PROBATE CODE

SECTION 1.01. Chapter I, Texas Probate Code, is amended by adding Section 11B to read as follows:

Sec. 11B. EXEMPTION FROM PROBATE FEES FOR ESTATES OF CERTAIN LAW ENFORCEMENT OFFICERS, FIREFIGHTERS, AND OTHERS.

(a) In this section:

(1) "Eligible decedent" means an individual listed in Section 615.003, Government Code.

(2) "Line of duty" and "personal injury" have the meanings assigned by Section 615.021(e), Government Code.

(b) Notwithstanding any other law, the clerk of a court may not charge, or collect from, the estate of an eligible decedent any of the following fees if the decedent died as a result of a personal injury sustained in the line of duty in the individual's position as described by Section 615.003, Government Code:

(1) a fee for or associated with the filing of the decedent's will for probate; and

(2) a fee for any service rendered by the court regarding the administration of the decedent's estate.

1 SECTION 1.02. The changes in law made by this article apply
2 only to the estate of a decedent who dies on or after the effective
3 date of this Act. The estate of a decedent who dies before the
4 effective date of this Act is governed by the law in effect on the
5 date of the decedent's death, and the former law is continued in
6 effect for that purpose.

7 ARTICLE 2. ESTATES CODE

8 SECTION 2.01. Subchapter B, Chapter 53, Estates Code, is
9 amended by adding Section 53.054 to read as follows:

10 Sec. 53.054. EXEMPTION FROM PROBATE FEES FOR ESTATES OF
11 CERTAIN LAW ENFORCEMENT OFFICERS, FIREFIGHTERS, AND OTHERS.

12 (a) In this section:

13 (1) "Eligible decedent" means an individual listed in
14 Section 615.003, Government Code.

15 (2) "Line of duty" and "personal injury" have the
16 meanings assigned by Section 615.021(e), Government Code.

17 (b) Notwithstanding any other law, the clerk of a court may
18 not charge, or collect from, the estate of an eligible decedent any
19 of the following fees if the decedent died as a result of a personal
20 injury sustained in the line of duty in the individual's position as
21 described by Section 615.003, Government Code:

22 (1) a fee for or associated with the filing of the
23 decedent's will for probate; and

24 (2) a fee for any service rendered by the court
25 regarding the administration of the decedent's estate.

26 SECTION 2.02. Section 11B, Texas Probate Code, as added by
27 Article 1 of this Act, is repealed.

1 SECTION 2.03. This article takes effect January 1, 2014.

2 ARTICLE 3. EFFECTIVE DATE

3 SECTION 3.01. Except as otherwise provided by this Act,
4 this Act takes effect September 1, 2011.