

1-1 By: Hegar S.B. No. 543
1-2 (In the Senate - Filed February 7, 2011; February 17, 2011,
1-3 read first time and referred to Committee on Jurisprudence;
1-4 March 14, 2011, reported favorably by the following vote: Yeas 5,
1-5 Nays 0; March 14, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to a probate fee exemption for estates of certain law
1-9 enforcement officers, firefighters, and others killed in the line
1-10 of duty.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 ARTICLE 1. TEXAS PROBATE CODE

1-13 SECTION 1.01. Chapter I, Texas Probate Code, is amended by
1-14 adding Section 11B to read as follows:

1-15 Sec. 11B. EXEMPTION FROM PROBATE FEES FOR ESTATES OF
1-16 CERTAIN LAW ENFORCEMENT OFFICERS, FIREFIGHTERS, AND OTHERS.

1-17 (a) In this section:

1-18 (1) "Eligible decedent" means an individual listed in
1-19 Section 615.003, Government Code.

1-20 (2) "Line of duty" and "personal injury" have the
1-21 meanings assigned by Section 615.021(e), Government Code.

1-22 (b) Notwithstanding any other law, the clerk of a court may
1-23 not charge, or collect from, the estate of an eligible decedent any
1-24 of the following fees if the decedent died as a result of a personal
1-25 injury sustained in the line of duty in the individual's position as
1-26 described by Section 615.003, Government Code:

1-27 (1) a fee for or associated with the filing of the
1-28 decedent's will for probate; and

1-29 (2) a fee for any service rendered by the court
1-30 regarding the administration of the decedent's estate.

1-31 SECTION 1.02. The changes in law made by this article apply
1-32 only to the estate of a decedent who dies on or after the effective
1-33 date of this Act. The estate of a decedent who dies before the
1-34 effective date of this Act is governed by the law in effect on the
1-35 date of the decedent's death, and the former law is continued in
1-36 effect for that purpose.

1-37 ARTICLE 2. ESTATES CODE

1-38 SECTION 2.01. Subchapter B, Chapter 53, Estates Code, is
1-39 amended by adding Section 53.054 to read as follows:

1-40 Sec. 53.054. EXEMPTION FROM PROBATE FEES FOR ESTATES OF
1-41 CERTAIN LAW ENFORCEMENT OFFICERS, FIREFIGHTERS, AND OTHERS.

1-42 (a) In this section:

1-43 (1) "Eligible decedent" means an individual listed in
1-44 Section 615.003, Government Code.

1-45 (2) "Line of duty" and "personal injury" have the
1-46 meanings assigned by Section 615.021(e), Government Code.

1-47 (b) Notwithstanding any other law, the clerk of a court may
1-48 not charge, or collect from, the estate of an eligible decedent any
1-49 of the following fees if the decedent died as a result of a personal
1-50 injury sustained in the line of duty in the individual's position as
1-51 described by Section 615.003, Government Code:

1-52 (1) a fee for or associated with the filing of the
1-53 decedent's will for probate; and

1-54 (2) a fee for any service rendered by the court
1-55 regarding the administration of the decedent's estate.

1-56 SECTION 2.02. Section 11B, Texas Probate Code, as added by
1-57 Article 1 of this Act, is repealed.

1-58 SECTION 2.03. This article takes effect January 1, 2014.

1-59 ARTICLE 3. EFFECTIVE DATE

1-60 SECTION 3.01. Except as otherwise provided by this Act,
1-61 this Act takes effect September 1, 2011.

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