

1-1 By: Zaffirini S.B. No. 512
 1-2 (In the Senate - Filed February 10, 2015; February 11, 2015,
 1-3 read first time and referred to Committee on State Affairs;
 1-4 March 16, 2015, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; March 16, 2015,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 512 By: Zaffirini

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the promulgation of certain forms for use in probate
 1-22 matters.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subchapter A, Chapter 22, Government Code, is
 1-25 amended by adding Section 22.020 to read as follows:

1-26 Sec. 22.020. PROMULGATION OF CERTAIN PROBATE FORMS.

1-27 (a) In this section:

1-28 (1) "Probate court" has the meaning assigned by
 1-29 Section 22.007, Estates Code.

1-30 (2) "Probate matter" has the meaning assigned by
 1-31 Section 22.029, Estates Code.

1-32 (b) The supreme court shall, as the court considers
 1-33 appropriate, promulgate:

1-34 (1) forms for use by individuals representing
 1-35 themselves in certain probate matters, including forms for use in:

1-36 (A) a small estate affidavit proceeding under
 1-37 Chapter 205, Estates Code; and

1-38 (B) the probate of a will as a muniment of title
 1-39 under Chapter 257, Estates Code;

1-40 (2) a simple will form for:

1-41 (A) a married individual with an adult child;

1-42 (B) a married individual with a minor child;

1-43 (C) a married individual with no children;

1-44 (D) an unmarried individual with an adult child;

1-45 (E) an unmarried individual with a minor child;

1-46 and

1-47 (F) an unmarried individual with no children; and

1-48 (3) instructions for the proper use of each form or set
 1-49 of forms.

1-50 (c) The forms and instructions:

1-51 (1) must be written in plain language that is easy to
 1-52 understand by the general public;

1-53 (2) shall be made readily available to the general
 1-54 public in the manner prescribed by the supreme court; and

1-55 (3) must be translated into the Spanish language as
 1-56 provided by Subsection (d).

1-57 (d) The Spanish language translation of a form must:

1-58 (1) state:

1-59 (A) that the Spanish language translated form is
 1-60 to be used solely for the purpose of assisting in understanding the

2-1 form and may not be submitted to the probate court; and
2-2 (B) that the English language version of the form
2-3 must be submitted to the probate court; or
2-4 (2) be incorporated into the English language version
2-5 of the form in a manner that is understandable to both the probate
2-6 court and members of the general public.
2-7 (e) Each form and its instructions must clearly and
2-8 conspicuously state that the form is not a substitute for the advice
2-9 of an attorney.
2-10 (f) The clerk of a probate court shall inform members of the
2-11 general public of the availability of a form promulgated by the
2-12 supreme court under this section as appropriate and make the form
2-13 available free of charge.
2-14 (g) A probate court shall accept a form promulgated by the
2-15 supreme court under this section unless the form has been completed
2-16 in a manner that causes a substantive defect that cannot be cured.
2-17 SECTION 2. This Act takes effect September 1, 2015.

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