

1-1 By: Perry S.B. No. 1056  
 1-2 (In the Senate - Filed February 23, 2017; March 6, 2017,  
 1-3 read first time and referred to Committee on State Affairs;  
 1-4 April 3, 2017, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 3, 2017,  
 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. 1056 By: Creighton

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

1-21 relating to the transfer of certain probate proceedings to the  
 1-22 county in which the executor or administrator of a decedent's  
 1-23 estate resides.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Subchapter C, Chapter 33, Estates Code, is  
 1-26 amended by adding Section 33.1011 to read as follows:

1-27 Sec. 33.1011. TRANSFER TO COUNTY IN WHICH EXECUTOR OR  
 1-28 ADMINISTRATOR RESIDES. (a) In this section, "immediate family  
 1-29 member" means the parent, spouse, child, or sibling of a person.

1-30 (b) After the issuance in a probate proceeding of letters  
 1-31 testamentary or of administration to the executor or administrator  
 1-32 of an estate, the court, on motion of the executor or administrator,  
 1-33 may order that the proceeding be transferred to another county in  
 1-34 this state in which the executor or administrator resides if no  
 1-35 immediate family member of the decedent resides in the same county  
 1-36 in which the decedent resided.

1-37 (c) The clerk of the court from which the probate proceeding  
 1-38 described by Subsection (b) is transferred shall transmit to the  
 1-39 court to which the proceeding is transferred:

1-40 (1) the original file in the proceeding; and

1-41 (2) a certified copy of the index.

1-42 SECTION 2. Section 33.1011, Estates Code, as added by this  
 1-43 Act, applies only to the estate of a decedent who dies on or after  
 1-44 the effective date of this Act. The estate of a decedent who dies  
 1-45 before the effective date of this Act is governed by the law in  
 1-46 effect on the date of the decedent's death, and the former law is  
 1-47 continued in effect for that purpose.

1-48 SECTION 3. This Act takes effect September 1, 2017.

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