

1-1 By: Perry S.B. No. 192
 1-2 (In the Senate - Filed November 15, 2018; February 1, 2019,
 1-3 read first time and referred to Committee on State Affairs;
 1-4 March 6, 2019, reported favorably by the following vote: Yeas 9,
 1-5 Nays 0; March 6, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Huffman	X			
1-8 Hughes	X			
1-9 Birdwell	X			
1-10 Creighton	X			
1-11 Fallon	X			
1-12 Hall	X			
1-13 Lucio	X			
1-14 Nelson	X			
1-15 Zaffirini	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the transfer of certain probate proceedings to the
 1-20 county in which the executor or administrator of a decedent's
 1-21 estate resides.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subchapter C, Chapter 33, Estates Code, is
 1-24 amended by adding Section 33.1011 to read as follows:

1-25 Sec. 33.1011. TRANSFER TO COUNTY IN WHICH EXECUTOR OR
 1-26 ADMINISTRATOR RESIDES. (a) In this section, "immediate family
 1-27 member" means the parent, spouse, child, or sibling of a person.

1-28 (b) After the issuance in a probate proceeding of letters
 1-29 testamentary or of administration to the executor or administrator
 1-30 of an estate, the court, on motion of the executor or administrator,
 1-31 may order that the proceeding be transferred to another county in
 1-32 this state in which the executor or administrator resides if no
 1-33 immediate family member of the decedent resides in the same county
 1-34 in which the decedent resided.

1-35 (c) The clerk of the court from which the probate proceeding
 1-36 described by Subsection (b) is transferred shall transmit to the
 1-37 court to which the proceeding is transferred:

- 1-38 (1) the original file in the proceeding; and
- 1-39 (2) a certified copy of the index.

1-40 (d) Notwithstanding the date of any transfer under this
 1-41 section, the executor or administrator shall provide the notice
 1-42 required by Section 308.051 in the county of the court that
 1-43 originally issued the letters testamentary or of administration.

1-44 SECTION 2. Section 33.1011, Estates Code, as added by this
 1-45 Act, applies only to the estate of a decedent who dies on or after
 1-46 the effective date of this Act. The estate of a decedent who dies
 1-47 before the effective date of this Act is governed by the law in
 1-48 effect on the date of the decedent's death, and the former law is
 1-49 continued in effect for that purpose.

1-50 SECTION 3. This Act takes effect September 1, 2019.

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