

By: Metcalf

H.B. No. 1297

A BILL TO BE ENTITLED

AN ACT

relating to service of process on institutions and organizations in certain probate proceedings.

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

SECTION 1. Section 55.053, Estates Code, is amended to read as follows:

Sec. 55.053. SERVICE OF PROCESS. (a) For a will contest, the party contesting the will ~~[The court]~~ shall serve an institution or organization that is a necessary party to the contest under Section 55.052 in the manner provided by this title for service on other parties.

(b) For a will construction suit, the party bringing the suit shall serve an institution or organization that is a necessary party to the suit under Section 55.052 in the manner provided by this title for service on other parties.

SECTION 2. Section 55.053, Estates Code, as amended by this Act, applies only to a will contest or will construction suit that is instituted on or after the effective date of this Act. A will contest or will construction suit that was instituted before the effective date of this Act is governed by the law in effect on the date the contest or suit was instituted, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2021.