

By: Zaffirini

S.B. No. 1839

A BILL TO BE ENTITLED

AN ACT

relating to the delivery of a will in probate proceedings transferred to other courts.

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

SECTION 1. Section 33.105, Estates Code, is amended by adding Subsections (h) and (i) to read as follows:

(h) The clerk of the transferring court shall deliver the original will, or the paper copy of the will offered under Section 256.156 to prove a will that cannot be produced in court, as applicable, to the clerk of the transferee court by:

(1) registered or certified mail, return receipt requested;

(2) common or contract carrier, with proof of delivery receipt; or

(3) designated delivery service, as defined by 26 U.S.C. Section 7502(f)(2), with proof of delivery receipt.

(i) The party requesting the transfer shall pay the cost of delivery under Subsection (h).

SECTION 2. Sections 33.105(h) and (i), Estates Code, as added by this Act, apply to a proceeding that is pending or commenced on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2025.