

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 934
By: Taylor (Hinojosa)
Jurisprudence
5/19/2005
Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, the Property Code requires notice to the attorney general of any proceeding involving a charitable trust within 30 days of the filing but not less than 10 days prior to a hearing.

C.S.H.B. 934 amends the law to allow additional time for the attorney general to review the petition or other instrument.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 123.003(a) and (b), Property Code, as follows:

(a) Requires any party initiating a proceeding involving a charitable trust to give notice of the proceeding to the attorney general by sending to the attorney general, by registered or certified mail, a true copy of the petition or other instrument initiating the proceeding involving a charitable trust within 30 days of the filing of such petition or other instrument, but no less than 25, rather than 10, days prior to a hearing in such a proceeding. Provides that this subsection does not apply to a proceeding that meets certain criteria.

(b) Makes a conforming change.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2005.