

## **BILL ANALYSIS**

C.S.H.B. 3434  
By: Hartnett  
Judiciary  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The bill is intended to clarify statutes pertaining to administration of decedents' estates.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

The bill amends Section 248, Texas Probate Code, to specify that a court may appoint appraisers on its own motion and also adds a standard of good cause shown for the appointment of appraisers. The bill also extends the time for an appointed temporary administrator under Section 131A to post a bond to 3 business days. Section 3 of the bill prohibits a trustee from proceeding with a cause of action in his representative capacity over the objection of the beneficiary, with administrative exceptions.

### **EFFECTIVE DATE**

September 1, 2005

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The substitute adds Section 3 relating to restriction of lawsuits by trustees.