

By: Taylor

H.B. No. 934

Substitute the following for H.B. No. 934:

By: Van Arsdale

C.S.H.B. No. 934

A BILL TO BE ENTITLED

AN ACT

1
2 relating to notice requirements in certain proceedings relating to
3 charitable trusts.

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

5 SECTION 1. Sections 123.003(a) and (b), Property Code, are
6 amended to read as follows:

7 (a) Any party initiating a proceeding involving a
8 charitable trust shall give notice of the proceeding to the
9 attorney general by sending to the attorney general, by registered
10 or certified mail, a true copy of the petition or other instrument
11 initiating the proceeding involving a charitable trust within 30
12 days of the filing of such petition or other instrument, but no less
13 than 25 [~~10~~] days prior to a hearing in such a proceeding.

14 (b) Notice shall be given to the attorney general of any
15 pleading which adds new causes of action or additional parties to a
16 proceeding involving a charitable trust in which the attorney
17 general has previously waived participation or in which the
18 attorney general has otherwise failed to intervene. Notice shall
19 be given by sending to the attorney general by registered or
20 certified mail a true copy of the pleading within 30 days of the
21 filing of the pleading, but no less than 25 [~~10~~] days prior to a
22 hearing in the proceeding.

23 SECTION 2. The change in law made by this Act applies only
24 to a petition, instrument, or pleading that is filed in a proceeding

1 involving a charitable trust on or after the effective date of this
2 Act. A petition, instrument, or pleading that is filed in a
3 proceeding involving a charitable trust before the effective date
4 of this Act is governed by the law in effect at the time the
5 petition, instrument, or pleading is filed, and the former law is
6 continued in effect for that purpose.

7 SECTION 3. This Act takes effect September 1, 2005.