

By: Hartnett

H.B. No. 3434

A BILL TO BE ENTITLED

AN ACT

relating to decedent's estates.

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

SECTION 1. Section 248, Texas Probate Code, is amended to read as follows:

Sec. 248. APPOINTMENT OF APPRAISERS. At any time after the grant of letters testamentary or of administration and on its own motion or on the motion of an~~[, upon the application of any]~~ interested person ~~[or if the court shall deem necessary]~~, the court for good cause shown shall appoint not less than one nor more than three disinterested persons, citizens of the county in which letters were granted, to appraise the property of the estate. In such event and when part of the estate is situated in a county other than the county in which letters were granted, if the court shall deem necessary it may appoint not less than one nor more than three disinterested persons, citizens of the county where such part of the estate is situated, to appraise the property of the estate situated therein.

SECTION 2. Section 131A(d), is amended to read as follows:

(d) Within three business days following ~~[On]~~ the date of the order, the appointee shall file with the county clerk a bond in the amount ordered by the court.

SECTION 3. The changes in law made by this Act to Section 248, Texas Probate Code, apply only to the estate of a decedent who

1 dies on or after the effective date of this Act. The estate of a  
2 decedent who dies before the effective date of this Act is governed  
3 by the law in effect on the date of the decedent's death, and the  
4 former law is continued in effect for that purpose.

5 SECTION 4. This Act takes effect September 1, 2005.