

## **BILL ANALYSIS**

C.S.H.B. 343  
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Elections  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

One of the duties of court clerks is to report to the voter registrar on recent deaths, so that the registrar may keep voting rolls up to date. Under current Texas law, each month the clerk of a court having probate jurisdiction must prepare an abstract of each application filed that month for probate of a will or administration of a decedent's estate. These two applications, however, do not exhaust all the types of applications received by court clerks that would indicate recent deaths. Thus, many deaths may go unreported to the voter registrar.

C.S.H.B. 343 would add language to the Election Code to include applications for determination of heirship and affidavits for the collection of small estates to the list of proceedings of which a court clerk must prepare an abstract for the voter registrar. In addition, C.S.H.B. 343 would add language to encompass any other proceeding filed under the court's probate jurisdiction.

### **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**

C.S.H.B. 343 amends Section 16.001(b) of the Election Code to state that each month the clerk of each court having probate jurisdiction shall prepare an abstract of each application for a probate of will, administration of a decedent's estate, or determination of heirship, and each affidavit under Section 137, Texas Probate Code, that is filed in the month with a court served by the clerk. The clerk shall file each abstract with the voter registrar not later than the 10th day of the month following the month in which the abstract is prepared.

The changes in law made by this bill apply only to abstracts filed that are due on or after October 10, 2007.

### **EFFECTIVE DATE**

September 1, 2007

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

The difference between C.S.H.B. 343 and H.B. 343 is found in SECTION 1 of the bill. H.B. 343 included "each other proceeding or document filed with the court under its probate jurisdiction" in the list of proceedings for which a clerk would prepare an abstract where C.S.H.B. 343 does not.