

By: Isett, Crabb, Haggerty, et al.

H.B. No. 3787

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a probate fee exemption for estates of members of the
3 armed forces of the United States who died while serving in a combat
4 zone.

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

6 SECTION 1. Chapter I, Texas Probate Code, is amended by
7 adding Section 11A to read as follows:

8 Sec. 11A. EXEMPTION FROM PROBATE FEES FOR ESTATES OF CERTAIN
9 MILITARY SERVICEMEMBERS. (a) In this section, "combat zone" means
10 an area that the president of the United States by executive order
11 designates for purposes of 26 U.S.C. Section 112 as an area in which
12 armed forces of the United States are or have engaged in combat.

13 (b) Notwithstanding any other law, the clerk of a county
14 court may not charge, or collect from, the estate of a decedent any
15 of the following fees if the decedent died while in active service
16 as a member of the armed forces of the United States in a combat
17 zone:

18 (1) a fee for or associated with the filing of the
19 decedent's will for probate; and

20 (2) a fee for any service rendered by the probate court
21 regarding the administration of the decedent's estate.

22 SECTION 2. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this

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- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2007.