

1-1 By: Isett, et al. (Senate Sponsor - Shapleigh) H.B. No. 3787  
1-2 (In the Senate - Received from the House April 23, 2007;  
1-3 April 26, 2007, read first time and referred to Committee on  
1-4 Veteran Affairs and Military Installations; May 18, 2007, reported  
1-5 favorably by the following vote: Yeas 4, Nays 0; May 18, 2007,  
1-6 sent to printer.)

1-7 A BILL TO BE ENTITLED  
1-8 AN ACT

1-9 relating to a probate fee exemption for estates of members of the  
1-10 armed forces of the United States who died while serving in a combat  
1-11 zone.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Chapter I, Texas Probate Code, is amended by  
1-14 adding Section 11A to read as follows:

1-15 Sec. 11A. EXEMPTION FROM PROBATE FEES FOR ESTATES OF CERTAIN  
1-16 MILITARY SERVICEMEMBERS. (a) In this section, "combat zone" means  
1-17 an area that the president of the United States by executive order  
1-18 designates for purposes of 26 U.S.C. Section 112 as an area in which  
1-19 armed forces of the United States are or have engaged in combat.

1-20 (b) Notwithstanding any other law, the clerk of a county  
1-21 court may not charge, or collect from, the estate of a decedent any  
1-22 of the following fees if the decedent died while in active service  
1-23 as a member of the armed forces of the United States in a combat  
1-24 zone:

1-25 (1) a fee for or associated with the filing of the  
1-26 decedent's will for probate; and

1-27 (2) a fee for any service rendered by the probate court  
1-28 regarding the administration of the decedent's estate.

1-29 SECTION 2. This Act takes effect immediately if it receives  
1-30 a vote of two-thirds of all the members elected to each house, as  
1-31 provided by Section 39, Article III, Texas Constitution. If this  
1-32 Act does not receive the vote necessary for immediate effect, this  
1-33 Act takes effect September 1, 2007.

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