

Suspending limitations on conference committee jurisdiction, S.B. No. 593 (Wentworth/Hartnett)

By: Wentworth

S.R. No. 1160

R E S O L U T I O N

1 BE IT RESOLVED by the Senate of the State of Texas, 80th
2 Legislature, Regular Session, 2007, That Senate Rule 12.03 be
3 suspended in part as provided by Senate Rule 12.08 to enable the
4 conference committee appointed to resolve the differences on Senate
5 Bill No. 593 (proof of, and providing notice to certain
6 beneficiaries under, a decedent's will) to consider and take action
7 on the following matters:

8 (1) Senate Rule 12.03(4) is suspended to permit the
9 committee to add a SECTION to the bill to amend Section 6.02, H.B.
10 No. 391, Acts of the 80th Legislature, Regular Session, 2007, to
11 read as follows:

12 SECTION 5. Section 6.02, H.B. No. 391, Acts of the 80th
13 Legislature, Regular Session, 2007, as effective September 1, 2007,
14 is amended to read as follows:

15 SECTION 6.02. The changes in law made by this article apply
16 only to[+]

17 [~~(1)~~ the estate of a decedent who dies before the
18 effective date of this article, if the probate or administration of
19 the estate is pending on or commenced on or after the effective date
20 of this article, and

21 [~~(2)~~] the estate of a decedent who dies on or after the
22 effective date of this article.

23 Explanation: The addition of the SECTION to the bill is
24 necessary to make a technical change in the applicability of an

1 amendment made by SECTION 6.01, H.B. No. 391, Acts of the 80th
2 Legislature, Regular Session, 2007, to Section 85, Texas Probate
3 Code.

4 (2) Senate Rule 12.03(1) is suspended to permit the
5 committee to change the text of the SECTION of the bill that is
6 renumbered in the conference committee report as SECTION 6 to read
7 as follows:

8 SECTION 6. The changes in law made by Sections 1, 2, 3, and 4
9 of this Act apply only to the estate of a decedent who dies on or
10 after the effective date of this Act. The estate of a decedent who
11 dies before the effective date of this Act is governed by the law in
12 effect on the date of the decedent's death, and the former law is
13 continued in effect for that purpose.

14 Explanation: The change to the applicability provision of
15 the bill is necessary to reflect the addition of SECTION 5 to the
16 conference committee report and to avoid having the applicability
17 provision affect that added SECTION.