

Amend CSSB 666 (Senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 113.029(a), Property Code (page 1, between lines 21 and 22), insert the following subdivision:

(3) "Trust administration" means the grant-making function of the trust.

(2) In SECTION 1 of the bill, in added Section 113.029(b), Property Code (page 1, line 24), strike "municipality or county" and substitute "location".

(3) In SECTION 1 of the bill, in added Section 113.029(b), Property Code (page 1, lines 24 through 26), strike the colon and Subdivisions (1) and (2) and substitute the following:
the trust administration takes place from a location in this state to a location outside this state.

(4) In SECTION 1 of the bill, in added Section 113.029(c), Property Code (page 1, lines 27 and 28), strike "determines that the municipality or county" and substitute "decides to change the location".

(5) In SECTION 1 of the bill, in added Section 113.029(c), Property Code (page 1, lines 28 through 30), strike "or the trust property is situated must be changed to prevent the charitable purposes of the trust from being frustrated" and substitute "from a location in this state to a location outside this state".

(6) In SECTION 1 of the bill, in added Section 113.029(c)(1)(A), Property Code (page 1, lines 33 and 34), strike "or the trust property".

(7) In SECTION 1 of the bill, in added Section 113.029(c)(1)(B), Property Code (page 1, lines 35 and 36), strike "if the settlor approves a new location in writing,".

(8) In SECTION 1 of the bill, in added Section 113.029(c)(1)(B), Property Code (page 1, lines 36 and 37), strike "under Subsection (d)".

(9) In SECTION 1 of the bill, in added Section 113.029(c)(2)(B), Property Code (page 1, line 41), strike "under Subsection (d)".

(10) In SECTION 1 of the bill, in added Section 113.029, Property Code, strike Subsections (d), (e), and (f) (page 1, line

42, through page 2, line 15) and substitute the following:

(d) The trustee may file an action in the district court or statutory probate court in which the trust was created seeking a court order authorizing the trustee to change the location in which the trust is administered to a location outside this state. The court may exercise its equitable powers to effectuate the original purpose of the trust.

(e) Except as provided by Subsection (b), the location in which the administration of the trust takes place may not be changed to a location outside this state unless:

(1) the charitable purposes of the trust cannot be adequately fulfilled unless the trust administration is moved; and

(2) a district court or statutory probate court authorizes the relocation.

(f) The attorney general may bring an action to enforce the provisions of this section. If a trustee of a charitable trust fails to comply with the provisions of this section, the district court or statutory probate court in the county in which the trust administration was originally located may remove the trustee and appoint a new trustee. Costs of a proceeding to remove a trustee, including reasonable attorney's fees, may be assessed against the removed trustee. This provision is in addition to and does not supersede the provisions of Chapter 123.

(11) In SECTION 1 of the bill, in added Section 113.029(g), Property Code (page 2, lines 17 through 19), strike "The proceeds of real estate sold by a charitable trust must be situated at the same location as other money owned by the trust."

(12) In SECTIONS 2 and 3 of the bill (page 2, lines 23 and 24, lines 25 and 26, line 27, line 29, and line 30), strike "January 1, 2010" wherever it appears and substitute "September 1, 2009".