

## **BILL ANALYSIS**

H.B. 585  
By: Naishtat  
Judiciary & Civil Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently the Texas Probate Code makes references to "minutes." "Minutes" are notes kept by judges concerning the cases before the court. However, judges no longer keep "minutes," but rather they keep record of cases through entries in the judges' "probate docket" or "guardianship docket."

As judges no longer keep "minutes," HB 585 replaces any reference to "minutes" with "judge's probate docket" or "judge's guardianship docket," whichever is appropriate.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **ANALYSIS**

Section 1. Amends Section 8(c)(1), Texas Probate Code, by striking the language "minutes" and substituting "judge's probate docket."

Section 2. Amends Section 13(d), Texas Probate Code, by striking the language "minute" and substituting "notation."

Section 3. Amends Section 23, Texas Probate Code, by eliminating the requirement of the judge to approve and sign the probate minutes at the beginning of every month.

Section 4. Amends Section 51, Texas Probate Code, by striking the language "minutes" and substituting "judge's probate docket."

Section 5. Amends Section 53(a), Texas Probate Code, by striking the language "minutes of the court" and substituting "judge's probate docket."

Section 6. Amends Section 95(d), Texas Probate Code, by striking the language "minutes of the court" and substituting "judge's probate docket."

Section 7. Amends Section 101, Texas Probate Code, by striking the language "minutes" and substituting "judge's probate docket."

Section 8. Amends Section 190(d), Texas Probate Code, by striking the language "minutes of the court" and substituting "judge's probate docket."

Section 9. Amends Section 369(b), Texas Probate Code, by striking the language "minutes" and substituting "judge's probate docket."

Section 10. Amends Section 409, Texas Probate Code, by striking the language "minutes of the court" and substituting "judge's probate docket."

Section 11. Amends Section 430, Texas Probate Code, by striking the language "minutes of the court" and substituting "judge's probate docket."

Section 12. Amends Section 609(b), Texas Probate Code, by striking the language "minutes" and substituting "judge's guardianship docket."

Section 13. Amends Section 623(a), Texas Probate Code, by striking the language "minute" and substituting "notation."

Section 14. Amends Section 631(b) and (c), Texas Probate Code, by striking the language "minutes" and substituting "judge's guardianship docket."

Section 15. Amends Section 650, Texas Probate Code, by eliminating the requirement of the judge to approve and sign the probate minutes at the beginning of every month.

Section 16. Amends Section 753, Texas Probate Code, by striking the language "minutes of the court" and substituting "judge's guardianship docket."

Section 17. Amends Section 849(c), Texas Probate Code, by striking the language "minutes" and substituting "judge's guardianship docket."

Section 18. Amends Section 885(a), (b), and (g), Texas Probate Code, by striking the language "on the minutes of the court" and substituting "in the judge's guardianship docket."

Section 19. Repeals Section 26.004(c), Texas Government Code, and Sections 3(u) and 601(17), Texas Probate Code.

Section 20. The Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house as provided by Section 39, Article III, of the Texas Constitution. If the Act does not receive the vote necessary for immediate effect, the Act takes effect September 1, 2009.

#### **EFFECTIVE DATE**

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house as provided by Section 39, Article III, of the Texas Constitution. If the Act does not receive the vote necessary for immediate effect, the Act takes effect September 1, 2009.