

By: Leibowitz

H.B. No. 2417

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the definition of charitable trust for purposes of
3 court jurisdiction.

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

5 SECTION 1. Section 5(e), Texas Probate Code, is amended to
6 read as follows:

7 (e) A statutory probate court has concurrent jurisdiction
8 with the district court in all personal injury, survival, or
9 wrongful death actions by or against a person in the person's
10 capacity as a personal representative, in all actions by or against
11 a trustee, in all actions involving an inter vivos trust,
12 testamentary trust, or charitable trust, and in all actions
13 involving a personal representative of an estate in which each
14 other party aligned with the personal representative is not an
15 interested person in that estate. For purposes of this section,
16 "charitable trust" includes a charitable trust as defined by
17 Section 123.001, Property Code.

18 SECTION 2. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2009.