

1-1 By: Harris S.B. No. 917  
1-2 (In the Senate - Filed February 17, 2009; March 9, 2009, read  
1-3 first time and referred to Committee on Jurisprudence;  
1-4 April 6, 2009, reported favorably by the following vote: Yeas 5,  
1-5 Nays 0; April 6, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the definition of charitable trust for purposes of  
1-9 court jurisdiction.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subsection (e), Section 5, Texas Probate Code,  
1-12 is amended to read as follows:

1-13 (e) A statutory probate court has concurrent jurisdiction  
1-14 with the district court in all personal injury, survival, or  
1-15 wrongful death actions by or against a person in the person's  
1-16 capacity as a personal representative, in all actions by or against  
1-17 a trustee, in all actions involving an inter vivos trust,  
1-18 testamentary trust, or charitable trust, and in all actions  
1-19 involving a personal representative of an estate in which each  
1-20 other party aligned with the personal representative is not an  
1-21 interested person in that estate. For purposes of this section,  
1-22 "charitable trust" includes a charitable trust as defined by  
1-23 Section 123.001, Property Code.

1-24 SECTION 2. This Act takes effect immediately if it receives  
1-25 a vote of two-thirds of all the members elected to each house, as  
1-26 provided by Section 39, Article III, Texas Constitution. If this  
1-27 Act does not receive the vote necessary for immediate effect, this  
1-28 Act takes effect September 1, 2009.

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