

## **BILL ANALYSIS**

C.S.H.B. 1813  
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Business & Industry  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

There is concern that meaning of the term beneficiary in certain provisions of law relating to trusts is unclear. C.S.H.B. 1813 seeks to address this problem by clarifying the meaning of the term in those provisions.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 1813 amends the Property Code to specify that the authorization for a beneficiary of a trust to request the trustee, by written demand, to deliver to each beneficiary of the trust a written statement of accounts covering all transactions since the later of the last accounting or the creation of the trust applies to a beneficiary, including a person whose right to benefit from the trust is contingent, regardless of whether the right to benefit from the trust is presently vested.

### **EFFECTIVE DATE**

September 1, 2011.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 1813 differs from the original by specifying that a beneficiary includes a person whose right to benefit from the trust is contingent, regardless of whether the right to benefit from the trust is presently vested for purposes of provisions of the Texas Trust Code authorizing a beneficiary of a trust to request the trustee to deliver a specified statement of accounts to each beneficiary of the trust, whereas the original redefines "beneficiary," for purposes of the Texas Trust Code generally, to include that specification.

C.S.H.B. 1813 omits a provision included in the original redefining "interested person" to include in the meaning of the term, for purposes of the Texas Trust Code generally, that same specification as it relates to a beneficiary.