

By: Naishtat

H.B. No. 2274

A BILL TO BE ENTITLED

AN ACT

relating to a suit to contest the validity of a will admitted to probate.

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

SECTION 1. Section 256.204, Estates Code, is amended to read as follows:

Sec. 256.204. PERIOD FOR CONTEST. (a) After a will is admitted to probate, an interested person may commence a suit to contest the validity thereof not later than the first ~~second~~ anniversary of the date the will was admitted to probate, except that an interested person may commence a suit to cancel a will for forgery or other fraud not later than the first ~~second~~ anniversary of the date the forgery or fraud was discovered.

(b) Notwithstanding Subsection (a), an incapacitated person may commence the contest under that subsection on or before the first ~~second~~ anniversary of the date the person's disabilities are removed.

SECTION 2. The changes in law made by this Act to Section 256.204, Estates Code, apply only to a will admitted to probate on or after the effective date of this Act. A will admitted to probate before the effective date of this Act is governed by the law in effect on the date on which the will was admitted to probate, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2015.