

Amend CSSB 1056 (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter B, Chapter 352, Estates Code, is amended by adding Section 352.054 to read as follows:

Sec. 352.054. REIMBURSEMENT FOR CERTAIN COSTS FOR ASSIGNED JUDGE. If a party to a probate proceeding files a motion for the assignment of a statutory probate court judge to hear a contested matter in the proceeding under Section 32.003 and the motion is granted, the court may, on the court's own motion or on the motion of the party who filed the motion for the assignment, order that a county be reimbursed out of the estate for any amounts the county paid as compensation and expenses under Sections 25.0022(o) and (p), Government Code.

SECTION \_\_\_\_\_. Section 25.0022, Government Code, is amended by amending Subsections (m), (o), and (p) and adding Subsection (o-1) to read as follows:

(m) The presiding judge shall certify to the county judge in the county in which the assigned judge served:

(1) the expenses approved under Subsection (1); ~~and~~

(2) a determination of the assigned judge's salary; and

(3) if applicable, a determination of the amounts to be apportioned to a party or between two or more parties to a probate proceeding as prescribed under Subsection (o-1), together with the contact information of the party or parties.

(o) The county in which the assigned judge served shall:

(1) pay out of the general fund of the county:

(A) [~~1~~] expenses certified under Subsection (m) to the assigned judge; and

(B) [~~2~~] the salary certified under Subsection (m) to the county in which the assigned judge serves, or, if the assigned judge is a former or retired judge, to the assigned judge; and

(2) if applicable, seek reimbursement from one or more parties to a probate proceeding of the amounts apportioned to a party or between the parties as prescribed under Subsection (o-1).

(o-1) If a party to a probate proceeding files a motion for the assignment of a statutory probate court judge to hear a contested matter in the proceeding under Section 32.003, Estates Code, and the motion is granted, the assigned statutory probate court judge may, in accordance with Section 352.054, Estates Code, order that the county be reimbursed as an expense from the estate for any amounts the county paid as compensation and expenses under Subsections (o) and (p). If the statutory probate court judge does not order the reimbursement of the county from the estate under this subsection:

(1) subject to Subdivision (2), the party who requested the assignment shall reimburse the county for the amounts paid by the county as compensation and expenses under Subsections (o) and (p); and

(2) if more than one party to a proceeding filed the motion for the assignment of the statutory probate court judge, the statutory probate court judge shall:

(A) prescribe the amounts or manner by which the judge's compensation and expenses are to be equitably apportioned between those parties for purposes of reimbursement under this section; and

(B) provide the amounts or manner of apportionment to the presiding judge.

(p) In addition to all compensation and expenses authorized by this section and other law, a judge who is assigned to a court outside the county of the judge's residence is entitled to receive \$25 for each day or fraction of a day served. Subject to Subsection (o-1), the [The] county in which the judge served shall pay the additional compensation from the county's general fund on certification by the presiding judge.

SECTION \_\_\_\_\_. Section 25.0022, Government Code, as amended by this Act, applies only to a motion for the assignment of a statutory probate court judge under Section 32.003, Estates Code, that is filed on or after the effective date of this Act. A motion filed before the effective date of this Act is governed by the law in effect on the date the motion was filed, and the former law is continued in effect for that purpose.