

BILL ANALYSIS

S.B. 874
By: Huffman
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been suggested that the forms existing in statute for creating transfer on death deeds and related revocation instruments may be overly complicated. S.B. 874 seeks to address this issue by repealing the statutory forms and instead requiring the Texas Supreme Court to create such forms, eliminating the need to amend the forms through the legislative process.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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

S.B. 874 amends the Government Code to require the Texas Supreme Court, as the court considers appropriate, to promulgate a form for use to create a transfer on death deed and a form for use to create an instrument of revocation of a transfer on death deed. The bill repeals Estates Code provisions that prescribe optional forms for creating such a deed or revocation instrument.

S.B. 874 repeals the following provisions of the Estates Code:

- Section 114.002(b)
- Subchapter D, Chapter 114

EFFECTIVE DATE

September 1, 2019.