By:  Huffman S.B. No. 874

(In the Senate - Filed February 19, 2019; March 1, 2019, read first time and referred to Committee on State Affairs; March 13, 2019, reported favorably by the following vote: Yeas 9, Nays 0; March 13, 2019, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Huffman         X

Hughes          X

Birdwell        X

Creighton       X

Fallon          X

Hall            X

Lucio           X

Nelson          X

Zaffirini       X

A BILL TO BE ENTITLED

AN ACT

relating to forms for creating or revoking a transfer on death deed.

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

SECTION 1.  Section 22.020(a), Government Code, is amended by adding Subdivision (3) to read as follows:

(3)  "Transfer on death deed" has the meaning assigned by Section 114.002, Estates Code.

SECTION 2.  Section 22.020(b), Government Code, is amended to read as follows:

(b)  The supreme court shall, as the court considers appropriate, promulgate:

(1)  forms for use by individuals representing themselves in certain probate matters, including forms for use in:

(A)  a small estate affidavit proceeding under Chapter 205, Estates Code; and

(B)  the probate of a will as a muniment of title under Chapter 257, Estates Code;

(2)  a simple will form for:

(A)  a married individual with an adult child;

(B)  a married individual with a minor child;

(C)  a married individual with no children;

(D)  an unmarried individual with an adult child;

(E)  an unmarried individual with a minor child; and

(F)  an unmarried individual with no children;

(2-a)  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 under Chapter 114, Estates Code; and

(3)  instructions for the proper use of each form or set of forms.

SECTION 3.  The following provisions of the Estates Code are repealed:

(1)  Section 114.002(b); and

(2)  Subchapter D, Chapter 114.

SECTION 4.  The repeal of Subchapter D, Chapter 114, Estates Code, by this Act does not affect the validity of a transfer on death deed or a cancellation of a transfer on death deed executed before, on, or after the effective date of this Act.

SECTION 5.  This Act takes effect September 1, 2019.

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