

By: Murphy

H.B. No. 2064

A BILL TO BE ENTITLED

AN ACT

relating to recovery of the funds of an estate delivered to the comptroller.

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

SECTION 1. Section 551.003(b), Estates Code, is amended to read as follows:

(b) Recovery of [~~An action to recover~~] the proceeds of a sale under this section is governed by Subchapter B.

SECTION 2. Section 551.051, Estates Code, is amended to read as follows:

Sec. 551.051. RECOVERY OF FUNDS. If funds of an estate have been paid to the comptroller under this chapter, an heir or devisee or an assignee of an heir or devisee may recover the share of the funds to which the heir, devisee, or assignee is entitled by filing a claim with the comptroller in the manner provided by Chapter 74, Property Code, for property delivered to the comptroller under that chapter.

SECTION 3. Section 74.501(e), Property Code, is amended to read as follows:

(e) Except as provided by Subsection (f) or Section 551.051, Estates Code, the comptroller may not pay to the following persons a claim to which this section applies:

(1) a creditor, a judgment creditor, a lienholder, or an assignee of the reported owner or of the owner's heirs; or

1 (2) a person holding a power of attorney from the
2 reported owner or the owner's heirs.

3 SECTION 4. Sections [551.052](#), [551.053](#), [551.054](#), and [551.055](#),
4 Estates Code, are repealed.

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