

By: Krause

H.B. No. 3777

A BILL TO BE ENTITLED

AN ACT

relating to priority of payment for certain electrical service claims against the estates of certain decedents.

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

SECTION 1. Section 355.102(b), Estates Code, is amended to read as follows:

(b) Class 1 claims are composed of funeral expenses and expenses of the decedent's last illness, including claims for the cost of electrical service provided to the decedent if the decedent had been designated as a critical care residential customer, for a reasonable amount approved by the court, not to exceed a total of \$15,000. Any excess shall be classified and paid as other unsecured claims.

SECTION 2. Section 355.103, Estates Code, is amended to read as follows:

Sec. 355.103. PRIORITY OF CERTAIN PAYMENTS. When a personal representative has estate funds in the representative's possession, the representative shall pay in the following order:

(1) funeral expenses and expenses of the decedent's last illness, including claims for the cost of electrical service provided to the decedent if the decedent had been designated as a critical care residential customer, in an amount not to exceed \$15,000;

(2) allowances made to the decedent's surviving spouse

1 and children, or to either the surviving spouse or children;

2 (3) expenses of administration and expenses incurred
3 in preserving, safekeeping, and managing the estate; and

4 (4) other claims against the estate in the order of the
5 claims' classifications.

6 SECTION 3. Sections [355.102\(b\)](#) and [355.103](#), Estates Code,
7 as amended by this Act, apply only to the estate of a decedent who
8 dies on or after the effective date of this Act. The estate of a
9 decedent who dies before the effective date of this Act is governed
10 by the law in effect on the date of the decedent's death, and the
11 former law is continued in effect for that purpose.

12 SECTION 4. This Act takes effect September 1, 2019.