

By: Huffman  
(Farrar)

S.B. No. 874

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

1 (F) an unmarried individual with no children;

2 (2-a) a form for use to create a transfer on death deed  
3 and a form for use to create an instrument of revocation of a  
4 transfer on death deed under Chapter 114, Estates Code; and

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

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8 repealed:

9 (1) Section 114.002(b); and

10 (2) Subchapter D, Chapter 114.

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

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