

By: Zaffirini

S.B. No. 1420

A BILL TO BE ENTITLED

1 AN ACT
2 relating to recovery of the funds of an estate delivered to the
3 comptroller.

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

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

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

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

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

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

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

23 (1) a creditor, a judgment creditor, a lienholder, or
24 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4 Estates Code, are repealed.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.