

1-1 By: Zaffirini S.B. No. 1975
 1-2 (In the Senate - Filed March 7, 2019; March 19, 2019, read
 1-3 first time and referred to Committee on State Affairs;
 1-4 April 8, 2019, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 8, 2019,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1975 By: Zaffirini

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to probate and guardianship matters and proceedings and
 1-22 other matters involving probate courts.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 30.014(a), Civil Practice and Remedies
 1-25 Code, is amended to read as follows:

1-26 (a) In a civil action, including a probate or guardianship
 1-27 proceeding, filed in a district court, county court, ~~or~~ statutory
 1-28 county court, or statutory probate court, each party or the party's
 1-29 attorney shall include in its initial pleading:

1-30 (1) the last three numbers of the party's driver's
 1-31 license number, if the party has been issued a driver's license; and

1-32 (2) the last three numbers of the party's social
 1-33 security number, if the party has been issued a social security
 1-34 number.

1-35 SECTION 2. Section 33.101, Estates Code, is amended to read
 1-36 as follows:

1-37 Sec. 33.101. TRANSFER TO OTHER COUNTY IN WHICH VENUE IS
 1-38 PROPER. If probate proceedings involving the same estate are
 1-39 commenced in more than one county and the court making a
 1-40 determination of venue as provided by Section 33.053 determines
 1-41 that venue is proper in another county, the court clerk shall make
 1-42 and retain a copy of the entire file in the case and transmit the
 1-43 original file in electronic or paper form to the court in the county
 1-44 in which venue is proper. The court to which the file is
 1-45 transmitted shall conduct the proceeding in the same manner as if
 1-46 the proceeding had originally been commenced in that county.

1-47 SECTION 3. Section 33.102(a), Estates Code, is amended to
 1-48 read as follows:

1-49 (a) If it appears to the court at any time before the final
 1-50 order in a probate proceeding is rendered that the court does not
 1-51 have priority of venue over the proceeding, the court shall, on the
 1-52 application of an interested person, transfer the proceeding to the
 1-53 proper county by transmitting to the proper court in that county in
 1-54 electronic or paper form:

1-55 (1) the original file in the case; and

1-56 (2) certified copies of all entries that have been
 1-57 made in the judge's probate docket in the proceeding.

1-58 SECTION 4. Section 33.103, Estates Code, is amended by
 1-59 adding Subsection (c) to read as follows:

1-60 (c) The transmittal under Subsection (b) of the original

2-1 file and the certified copy of the index may be in electronic or
2-2 paper form, except that an original will filed in the probate
2-3 proceeding, if any, must be delivered to the court to which the
2-4 proceeding is transferred.

2-5 SECTION 5. Section 51.003(b), Estates Code, is amended to
2-6 read as follows:

2-7 (b) A citation or notice issued by the county clerk must be
2-8 styled "The State of Texas" and be signed by the clerk under the
2-9 court's ~~[clerk's]~~ seal.

2-10 SECTION 6. Section 202.054, Estates Code, is amended to
2-11 read as follows:

2-12 Sec. 202.054. PERSONAL SERVICE OF CITATION MAY BE REQUIRED.

2-13 (a) The court may require that service of citation in a proceeding
2-14 to declare heirship be made by personal service on some or all of
2-15 those named as distributees in the application filed under Section
2-16 202.005.

2-17 (b) If a distributee to be cited under Subsection (a) is
2-18 absent from or is not a resident of this state, any disinterested
2-19 person competent to make an oath that the citation was served may
2-20 serve the citation.

2-21 SECTION 7. Section 351.351, Estates Code, is amended to
2-22 read as follows:

2-23 Sec. 351.351. APPLICABILITY. This subchapter does not
2-24 apply to:

2-25 (1) the appointment of an independent executor or
2-26 administrator under Section 401.002 or 401.003(a); or

2-27 (2) the appointment of a successor independent
2-28 administrator ~~[executor]~~ under Section 404.005.

2-29 SECTION 8. Section 404.0036(b), Estates Code, is amended to
2-30 read as follows:

2-31 (b) If an independent executor is removed by the court under
2-32 Section 404.003 or 404.0035, the court may, on application, appoint
2-33 a successor independent administrator ~~[executor]~~ as provided by
2-34 Section 404.005.

2-35 SECTION 9. The heading to Section 404.005, Estates Code, is
2-36 amended to read as follows:

2-37 Sec. 404.005. COURT-APPOINTED SUCCESSOR INDEPENDENT
2-38 ADMINISTRATOR ~~[EXECUTOR]~~.

2-39 SECTION 10. Sections 404.005(a), (b), (c), (h), and (i),
2-40 Estates Code, are amended to read as follows:

2-41 (a) If the will of a person who dies testate names an
2-42 independent executor who, having qualified, fails for any reason to
2-43 continue to serve, or is removed for cause by the court, and the
2-44 will does not name a successor independent executor or if each
2-45 successor executor named in the will fails for any reason to qualify
2-46 as executor or indicates by affidavit filed with the application
2-47 for an order continuing independent administration the successor
2-48 executor's inability or unwillingness to serve as successor
2-49 independent executor, all of the distributees of the decedent as of
2-50 the filing of the application for an order continuing independent
2-51 administration may apply to the probate court for the appointment
2-52 of a qualified person, firm, or corporation to serve as successor
2-53 independent administrator ~~[executor]~~. If the probate court finds
2-54 that continued administration of the estate is necessary, the court
2-55 shall enter an order continuing independent administration and
2-56 appointing the person, firm, or corporation designated in the
2-57 application as successor independent administrator ~~[executor]~~,
2-58 unless the probate court finds that it would not be in the best
2-59 interest of the estate to do so. The successor independent
2-60 administrator ~~[executor]~~ shall serve with all of the powers and
2-61 privileges granted to the successor's predecessor independent
2-62 executor.

2-63 (b) Except as otherwise provided by this subsection, if a
2-64 distributee described in this section is an incapacitated person,
2-65 the guardian of the person of the distributee may sign the
2-66 application on behalf of the distributee. If the probate court
2-67 finds that either the continuing of independent administration or
2-68 the appointment of the person, firm, or corporation designated in
2-69 the application as successor independent administrator ~~[executor]~~

3-1 would not be in the best interest of the incapacitated person, then,
 3-2 notwithstanding Subsection (a), the court may not enter an order
 3-3 continuing independent administration of the estate. If the
 3-4 distributee is an incapacitated person and has no guardian of the
 3-5 person, the court may appoint a guardian ad litem to make
 3-6 application on behalf of the incapacitated person if the probate
 3-7 court considers such an appointment necessary to protect the
 3-8 interest of that distributee. If a distributee described in this
 3-9 section is a minor and has no guardian of the person, a natural
 3-10 guardian of the minor may sign the application for the order
 3-11 continuing independent administration on the minor's behalf unless
 3-12 a conflict of interest exists between the minor and the natural
 3-13 guardian.

3-14 (c) Except as otherwise provided by this subsection, if a
 3-15 trust is created in the decedent's will or if the decedent's will
 3-16 devises property to a trustee as described by Section 254.001, the
 3-17 person or class of persons entitled to receive property outright
 3-18 from the trust on the decedent's death and those first eligible to
 3-19 receive the income from the trust, determined as if the trust were
 3-20 to be in existence on the date of the filing of the application for
 3-21 an order continuing independent administration, shall, for the
 3-22 purposes of this section, be considered to be the distributee or
 3-23 distributees on behalf of the trust, and any other trust or trusts
 3-24 coming into existence on the termination of the trust, and are
 3-25 authorized to apply for an order continuing independent
 3-26 administration on behalf of the trust without the consent or
 3-27 agreement of the trustee or any other beneficiary of the trust, or
 3-28 the trustee or any beneficiary of any other trust which may come
 3-29 into existence on the termination of the trust. If a person
 3-30 considered to be a distributee under this subsection is an
 3-31 incapacitated person, the trustee or cotrustee may apply for the
 3-32 order continuing independent administration or sign the
 3-33 application on the incapacitated person's behalf if the trustee or
 3-34 cotrustee is not the person proposed to serve as the independent
 3-35 administrator ~~[executor]~~.

3-36 (h) If a successor independent administrator ~~[executor]~~ is
 3-37 appointed under this section, then, unless the probate court shall
 3-38 waive bond on application for waiver, the successor independent
 3-39 administrator ~~[executor]~~ shall be required to enter into bond
 3-40 payable to and to be approved by the judge and the judge's
 3-41 successors in a sum that is found by the judge to be adequate under
 3-42 all circumstances, or a bond with one surety in an amount that is
 3-43 found by the judge to be adequate under all circumstances, if the
 3-44 surety is an authorized corporate surety.

3-45 (i) Absent proof of fraud or collusion on the part of a
 3-46 judge, the judge may not be held civilly liable for the commission
 3-47 of misdeeds or the omission of any required act of any person, firm,
 3-48 or corporation designated as a successor independent administrator
 3-49 ~~[executor]~~ under this section. Section 351.354 does not apply to an
 3-50 appointment of a successor independent administrator ~~[executor]~~
 3-51 under this section.

3-52 SECTION 11. Section 452.006, Estates Code, is amended by
 3-53 adding Subsection (c) to read as follows:

3-54 (c) The appointee shall file with the court proof of service
 3-55 of the notice required under Subsection (a) in the manner provided
 3-56 by Section 51.103(b)(3).

3-57 SECTION 12. Section 503.002, Estates Code, is amended to
 3-58 read as follows:

3-59 Sec. 503.002. RECORDING OF CERTAIN FOREIGN TESTAMENTARY
 3-60 INSTRUMENTS IN LANGUAGE OTHER THAN ENGLISH [ORIGINAL SIGNATURES NOT
 3-61 REQUIRED]. (a) An authenticated copy of a will or other
 3-62 testamentary instrument described by Section 503.001(a), along
 3-63 with a copy of the judgment, order, or decree by which the
 3-64 instrument was admitted to probate that has the attestation and
 3-65 certificate required by Section 501.002(c), that is written in
 3-66 whole or in part in a language other than English may be filed for
 3-67 recording in the deed records in any county in this state in which
 3-68 the land conveyed or disposed of in the instrument is located if:

3-69 (1) a correct English translation is recorded with the

4-1 authenticated copies of the will or other testamentary instrument
4-2 and judgment, order, or decree by which the instrument was admitted
4-3 to probate; and

4-4 (2) the accuracy of the translation is sworn to before
4-5 an officer authorized to administer oaths [Notwithstanding Section
4-6 501.002(c), the original signatures required by that section may
4-7 not be required for a recordation in the deed records in accordance
4-8 with Section 503.001 or for a purpose described by Section 503.051
4-9 or 503.052].

4-10 (b) The recording of an authenticated copy of a will or
4-11 other testamentary instrument and a copy of the judgment, order, or
4-12 decree in the manner provided by Subsection (a) operates as
4-13 constructive notice from the date of filing to all persons of the:

- 4-14 (1) existence of the instrument; and
- 4-15 (2) title or titles conferred by the instrument.

4-16 SECTION 13. Section 1023.006, Estates Code, is amended to
4-17 read as follows:

4-18 Sec. 1023.006. TRANSFER OF RECORD. When an order of
4-19 transfer is made under Section 1023.005, the clerk shall record any
4-20 unrecorded papers of the guardianship required to be recorded. On
4-21 payment of the clerk's fee, the clerk shall transmit in electronic
4-22 or paper form to the county clerk of the county to which the
4-23 guardianship was ordered transferred:

- 4-24 (1) the case file of the guardianship proceedings; and
- 4-25 (2) a certified copy of the index of the guardianship
4-26 records.

4-27 SECTION 14. Section 1023.007, Estates Code, is amended to
4-28 read as follows:

4-29 Sec. 1023.007. TRANSFER EFFECTIVE. The order transferring
4-30 a guardianship does not take effect until:

- 4-31 (1) the case file and a certified copy of the index
4-32 required by Section 1023.006 are filed in electronic or paper form
4-33 in the office of the county clerk of the county to which the
4-34 guardianship was ordered transferred; and
- 4-35 (2) a certificate under the clerk's official seal and
4-36 reporting the filing of the case file and a certified copy of the
4-37 index is filed in electronic or paper form in the court ordering the
4-38 transfer by the county clerk of the county to which the guardianship
4-39 was ordered transferred.

4-40 SECTION 15. Section 1051.003(b), Estates Code, is amended
4-41 to read as follows:

4-42 (b) A citation or notice issued by the county clerk must be
4-43 styled "The State of Texas" and be signed by the clerk under the
4-44 court's [clerk's] seal.

4-45 SECTION 16. The heading to Chapter 1054, Estates Code, is
4-46 amended to read as follows:

4-47 CHAPTER 1054. COURT OFFICERS, ~~[AND]~~ COURT-APPOINTED PERSONS, AND
4-48 ATTORNEYS

4-49 SECTION 17. The heading to Subchapter E, Chapter 1054,
4-50 Estates Code, is amended to read as follows:

4-51 SUBCHAPTER E. QUALIFICATIONS TO SERVE AS ~~[COURT-APPOINTED]~~
4-52 ATTORNEY

4-53 SECTION 18. Section 1054.201, Estates Code, is amended by
4-54 amending Subsection (a) and adding Subsection (c) to read as
4-55 follows:

4-56 (a) Except as provided by Subsection (c), an [An] attorney
4-57 representing any person's interests [for an applicant for
4-58 guardianship and a court-appointed attorney] in a guardianship
4-59 proceeding, including an attorney ad litem, must be certified by
4-60 the State Bar of Texas, or a person or other entity designated by
4-61 the state bar, as having successfully completed a course of study in
4-62 guardianship law and procedure sponsored by the state bar or the
4-63 state bar's designee.

4-64 (c) An attorney may commence representation of a person's
4-65 interests and file an appearance in a guardianship proceeding
4-66 before completing the course required for certification under
4-67 Subsection (a), but must complete the course not later than the 14th
4-68 day after the date of filing the appearance and before filing any
4-69 substantive motion in the guardianship proceeding.

5-1 SECTION 19. Section 1101.001(b), Estates Code, is amended
5-2 to read as follows:

5-3 (b) The application must be sworn to by the applicant and
5-4 state:

5-5 (1) the proposed ward's name, sex, date of birth, and
5-6 address;

5-7 (2) the name, former name, if any, relationship, and
5-8 address of the person the applicant seeks to have appointed as
5-9 guardian;

5-10 (3) whether guardianship of the person or estate, or
5-11 both, is sought;

5-12 (3-a) whether alternatives to guardianship and
5-13 available supports and services to avoid guardianship were
5-14 considered;

5-15 (3-b) whether any alternatives to guardianship and
5-16 supports and services available to the proposed ward considered are
5-17 feasible and would avoid the need for a guardianship;

5-18 (4) the nature and degree of the alleged incapacity,
5-19 the specific areas of protection and assistance requested, and the
5-20 limitation or termination of rights requested to be included in the
5-21 court's order of appointment, including a termination of:

5-22 (A) the right of a proposed ward who is 18 years
5-23 of age or older to vote in a public election;

5-24 (B) the proposed ward's eligibility to hold or
5-25 obtain a license to operate a motor vehicle under Chapter 521,
5-26 Transportation Code; and

5-27 (C) the right of a proposed ward to make personal
5-28 decisions regarding residence;

5-29 (5) the facts requiring the appointment of a guardian;

5-30 (6) the interest of the applicant in the appointment
5-31 of a guardian;

5-32 (7) the nature and description of any kind of
5-33 guardianship existing for the proposed ward in any other state;

5-34 (8) the name and address of any person or institution
5-35 having the care and custody of the proposed ward;

5-36 (9) the approximate value and a detailed description
5-37 of the proposed ward's property, including:

5-38 (A) liquid assets, including any compensation,
5-39 pension, insurance, or allowance to which the proposed ward may be
5-40 entitled; and

5-41 (B) non-liquid assets, including real property;

5-42 (10) the name and address of any person whom the
5-43 applicant knows to hold a power of attorney signed by the proposed
5-44 ward and a description of the type of power of attorney;

5-45 (11) for a proposed ward who is a minor, the following
5-46 information if known by the applicant:

5-47 (A) the name of each of the proposed ward's
5-48 parents and either the parent's address or that the parent is
5-49 deceased;

5-50 (B) the name and age of each of the proposed
5-51 ward's siblings, if any, and either the sibling's address or that
5-52 the sibling is deceased; and

5-53 (C) if each of the proposed ward's parents and
5-54 adult siblings are deceased, the names and addresses of the
5-55 proposed ward's other living relatives who are related to the
5-56 proposed ward within the third degree by consanguinity and who are
5-57 adults;

5-58 (12) for a proposed ward who is a minor, whether the
5-59 minor was the subject of a legal or conservatorship proceeding in
5-60 the preceding two years and, if so:

5-61 (A) the court involved;

5-62 (B) the nature of the proceeding; and

5-63 (C) any final disposition of the proceeding;

5-64 (13) for a proposed ward who is an adult, the following
5-65 information if known by the applicant:

5-66 (A) the name of the proposed ward's spouse, if
5-67 any, and either the spouse's address or that the spouse is deceased;

5-68 (B) the name of each of the proposed ward's
5-69 parents and either the parent's address or that the parent is

6-1 deceased;

6-2 (C) the name and age of each of the proposed

6-3 ward's siblings, if any, and either the sibling's address or that

6-4 the sibling is deceased;

6-5 (D) the name and age of each of the proposed

6-6 ward's children, if any, and either the child's address or that the

6-7 child is deceased; and

6-8 (E) if there is no living spouse, parent, adult

6-9 sibling, or adult child of the proposed ward, the names and

6-10 addresses of the proposed ward's other living relatives who are

6-11 related to the proposed ward within the third degree by

6-12 consanguinity and who are adults;

6-13 (14) facts showing that the court has venue of the

6-14 proceeding; and

6-15 (15) if applicable, that the person whom the applicant

6-16 seeks to have appointed as a guardian is a private professional

6-17 guardian who is certified under Subchapter C, Chapter 155,

6-18 Government Code, and has complied with the requirements of

6-19 Subchapter G, Chapter 1104.

6-20 SECTION 20. Section 1101.153(a), Estates Code, is amended

6-21 to read as follows:

6-22 (a) A court order appointing a guardian must:

6-23 (1) specify:

6-24 (A) [~~(1)~~] the name of the person appointed;

6-25 (B) [~~(2)~~] the name of the ward;

6-26 (C) [~~(3)~~] whether the guardian is of the person

6-27 or estate of the ward, or both;

6-28 (D) [~~(4)~~] the amount of any bond required;

6-29 (E) [~~(5)~~] if it is a guardianship of the estate

6-30 of the ward and the court considers an appraisal to be necessary,

6-31 one, two, or three disinterested persons to appraise the estate and

6-32 to return the appraisal to the court; and

6-33 (F) [~~(6)~~] that the clerk will issue letters of

6-34 guardianship to the person appointed when the person has qualified

6-35 according to law; and

6-36 (2) if the court waives the guardian's training

6-37 requirement, contain a finding that the waiver is in accordance

6-38 with rules adopted by the supreme court under Section 155.203,

6-39 Government Code.

6-40 SECTION 21. Section 1104.402, Estates Code, is amended to

6-41 read as follows:

6-42 Sec. 1104.402. COURT CLERK'S DUTY TO OBTAIN CRIMINAL

6-43 HISTORY RECORD INFORMATION[~~, AUTHORITY TO CHARGE FEE~~]. [~~(a)~~]

6-44 Except as provided by Section [~~1104.403,~~] 1104.404[~~7~~] or

6-45 1104.406(a), the clerk of the county having venue of the proceeding

6-46 for the appointment of a guardian shall obtain criminal history

6-47 record information that is maintained by the Department of Public

6-48 Safety or the Federal Bureau of Investigation identification

6-49 division relating to:

6-50 (1) a private professional guardian;

6-51 (2) each person who represents or plans to represent

6-52 the interests of a ward as a guardian on behalf of the private

6-53 professional guardian;

6-54 (3) each person employed by a private professional

6-55 guardian who will:

6-56 (A) have personal contact with a ward or proposed

6-57 ward;

6-58 (B) exercise control over and manage a ward's

6-59 estate; or

6-60 (C) perform any duties with respect to the

6-61 management of a ward's estate;

6-62 (4) each person employed by or volunteering or

6-63 contracting with a guardianship program to provide guardianship

6-64 services to a ward of the program on the program's behalf; or

6-65 (5) any other person proposed to serve as a guardian

6-66 under this title, including a proposed temporary guardian and a

6-67 proposed successor guardian, other than an attorney.

6-68 [~~(b) The clerk may charge a \$10 fee to recover the costs of~~

6-69 ~~obtaining criminal history record information under Subsection~~

7-1 ~~(a).~~]

7-2 SECTION 22. Section 1104.405(a), Estates Code, is amended
7-3 to read as follows:

7-4 (a) Criminal history record information obtained or
7-5 provided under Section 1104.402[~~, 1104.403,~~] or 1104.404 is
7-6 privileged and confidential and is for the exclusive use of the
7-7 court. The criminal history record information may not be released
7-8 or otherwise disclosed to any person or agency except on court order
7-9 or consent of the person being investigated.

7-10 SECTION 23. Subchapter A, Chapter 1151, Estates Code, is
7-11 amended by adding Section 1151.005 to read as follows:

7-12 Sec. 1151.005. LEGAL PROCEEDINGS IN WHICH WARD IS PARTY OR
7-13 WITNESS. The guardian of the person or of the estate of a ward may
7-14 not be excluded from attending a legal proceeding in which the ward
7-15 is:

7-16 (1) a party; or

7-17 (2) participating as a witness.

7-18 SECTION 24. Section 1253.001, Estates Code, is amended to
7-19 read as follows:

7-20 Sec. 1253.001. APPLICATION TO TRANSFER GUARDIANSHIP TO
7-21 FOREIGN JURISDICTION. On application of the guardian or on the
7-22 court's own motion, a [A guardian of the person or estate may apply
7-23 to the] court that has jurisdiction over the guardianship may [to]
7-24 transfer the guardianship to a court in a foreign jurisdiction to
7-25 which the ward has permanently moved.

7-26 SECTION 25. Section 25.0006, Government Code, is amended by
7-27 amending Subsection (a) and adding Subsection (a-5) to read as
7-28 follows:

7-29 (a) Notwithstanding any other law except Subsection (a-4),
7-30 Subsections (a-1), (a-2), [~~and~~] (a-3), and (a-5) control over a
7-31 specific provision for a particular court or county that attempts
7-32 to create a requirement for a bond or insurance that conflicts with
7-33 those subsections.

7-34 (a-5) A bond executed under Subsection (a-1) by the judge
7-35 elected or appointed to a statutory county court or an insurance
7-36 policy obtained under Subsection (a-3) shall provide the same
7-37 coverage to a visiting judge assigned to the court as the bond or
7-38 insurance policy provides to the judge elected or appointed to the
7-39 court.

7-40 SECTION 26. Section 25.00231, Government Code, is amended
7-41 by adding Subsection (f) to read as follows:

7-42 (f) Notwithstanding Subsection (e), a bond executed under
7-43 Subsection (b) by the judge elected or appointed to a statutory
7-44 probate court or an insurance policy obtained under Subsection (c)
7-45 shall provide the same coverage to a visiting judge assigned to the
7-46 court as the bond or insurance policy provides to the judge elected
7-47 or appointed to the court.

7-48 SECTION 27. Section 26.001, Government Code, is amended by
7-49 adding Subsection (d) to read as follows:

7-50 (d) A bond executed under Subsection (a) by the judge
7-51 elected or appointed to a county court or an insurance policy
7-52 obtained under Subsection (c) shall provide the same coverage to a
7-53 visiting judge assigned to the court as the bond or insurance policy
7-54 provides to the judge elected or appointed to the court.

7-55 SECTION 28. Section 81.114, Government Code, is amended by
7-56 amending Subsection (a) and adding Subsection (e) to read as
7-57 follows:

7-58 (a) The state bar shall provide a course of instruction for
7-59 attorneys who represent any person's interests [~~parties~~] in
7-60 guardianship cases or who serve as court-appointed guardians.

7-61 (e) The provider of a course described by this section may
7-62 not charge more than the amount necessary to cover the costs of
7-63 providing the course.

7-64 SECTION 29. Section 1104.403, Estates Code, is repealed.

7-65 SECTION 30. (a) Section 202.054, Estates Code, as amended
7-66 by this Act, applies only to a proceeding to declare heirship
7-67 commenced on or after the effective date of this Act. A proceeding
7-68 to declare heirship commenced before that date is governed by the
7-69 law in effect on the date the proceeding was commenced, and the

8-1 former law is continued in effect for that purpose.

8-2 (b) Section 452.006(c), Estates Code, as added by this Act,
8-3 applies only to a temporary administrator appointed on or after the
8-4 effective date of this Act. A temporary administrator appointed
8-5 before the effective date of this Act is governed by the law in
8-6 effect on the date the administrator was appointed, and the former
8-7 law is continued in effect for that purpose.

8-8 (c) Section 503.002, Estates Code, as amended by this Act,
8-9 applies only to a copy of a testamentary instrument or other
8-10 document filed for recording on or after the effective date of this
8-11 Act. A copy of a testamentary instrument or other document filed
8-12 before the effective date of this Act is governed by the law in
8-13 effect on the date the instrument or document was filed, and the
8-14 former law is continued in effect for that purpose.

8-15 (d) Section 1101.001, Estates Code, as amended by this Act,
8-16 applies only to an application for the appointment of a guardian
8-17 filed on or after the effective date of this Act. An application
8-18 for the appointment of a guardian filed before the effective date of
8-19 this Act is governed by the law in effect on the date the
8-20 application was filed, and the former law is continued in effect for
8-21 that purpose.

8-22 (e) Sections 1054.201 and 1101.153, Estates Code, as
8-23 amended by this Act, apply only to a guardianship proceeding
8-24 commenced on or after the effective date of this Act. A
8-25 guardianship proceeding commenced before the effective date of this
8-26 Act is governed by the law applicable to the proceeding immediately
8-27 before the effective date of this Act, and the former law is
8-28 continued in effect for that purpose.

8-29 (f) Section 1253.001, Estates Code, as amended by this Act,
8-30 applies to a guardianship created before, on, or after the
8-31 effective date of this Act.

8-32 (g) The changes in law made by this Act to Sections 25.0006,
8-33 25.00231, and 26.001, Government Code, apply only to an insurance
8-34 policy delivered, issued for delivery, or renewed on or after
8-35 January 1, 2020. An insurance policy delivered, issued for
8-36 delivery, or renewed before January 1, 2020, is governed by the law
8-37 as it existed immediately before the effective date of this Act, and
8-38 that law is continued in effect for that purpose.

8-39 SECTION 31. This Act takes effect September 1, 2019.

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