

BILL ANALYSIS

H.B. 262
By: Murr
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

There have been calls to update state law pertaining to the reimbursement of certain costs incurred by a statutory probate judge. It has been suggested that counties with small to medium tax bases might be at financial risk based on the inability to reimburse the county for expenses incurred by a statutory probate judge if the judge is assigned to a case within such a county. H.B. 262 seeks to address this issue by authorizing a statutory probate judge who is assigned to hear a contested matter to order the applicable estate to reimburse a county for any amounts the county paid as compensation and expenses associated with the judge's assignment.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 262 amends the Estates Code and Government Code to authorize a statutory probate court judge who is assigned to hear a contested matter to order the estate to reimburse a county for any amounts the county paid as compensation and expenses associated with the judge's assignment. The bill requires such an assigned judge to take the following actions:

- to the extent possible, order that the county be reimbursed for any such amounts from the estate and from the parties to the proceeding; and
- prescribe the amount and manner by which the compensation and expenses are to be equitably apportioned among the estate and parties, as applicable.

EFFECTIVE DATE

September 1, 2021.