

By: Murr

H.B. No. 262

A BILL TO BE ENTITLED

AN ACT

relating to the payment of certain costs associated with certain assignments of a statutory probate court judge.

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

SECTION 1. Subchapter B, Chapter 352, Estates Code, is amended by adding Section 352.054 to read as follows:

Sec. 352.054. REIMBURSEMENT FOR CERTAIN COSTS FOR ASSIGNED JUDGE. A statutory probate court judge assigned to hear a contested matter on the motion under Section 32.003 of a party to the proceeding may order the estate to reimburse a county for any amounts the county paid as compensation and expenses in accordance with Section 25.0022(o-1), Government Code.

SECTION 2. Section 25.0022, Government Code, is amended by adding Subsection (o-1) and amending Subsection (p) to read as follows:

(o-1) If a party to a probate proceeding files a motion for the assignment of a statutory probate court judge to hear a contested matter in the proceeding under Section 32.003, Estates Code, and the motion is granted, the assigned statutory probate court judge shall:

(1) to the extent possible, order that the county be reimbursed for any amounts the county paid as compensation and expenses under Subsections (o) and (p) from the estate under Section 352.054, Estates Code, and from the parties to the

1 proceeding; and

2 (2) prescribe the amount and manner by which the
3 compensation and expenses described by Subdivision (1) are to be
4 equitably apportioned among the estate and parties, as applicable.

5 (p) In addition to all compensation and expenses authorized
6 by this section and other law, a judge who is assigned to a court
7 outside the county of the judge's residence is entitled to receive
8 \$25 for each day or fraction of a day served. Subject to Subsection
9 (o-1), the [The] county in which the judge served shall pay the
10 additional compensation from the county's general fund on
11 certification by the presiding judge.

12 SECTION 3. Section 25.0022, Government Code, as amended by
13 this Act, applies only to a motion for the assignment of a statutory
14 probate court judge under Section 32.003, Estates Code, that is
15 filed on or after the effective date of this Act. A motion filed
16 before the effective date of this Act is governed by the law in
17 effect on the date the motion was filed, and the former law is
18 continued in effect for that purpose.

19 SECTION 4. This Act takes effect September 1, 2021.