

AN ACT

relating to service of process on institutions and organizations in certain probate proceedings.

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

SECTION 1. Section 55.053, Estates Code, is amended to read as follows:

Sec. 55.053. SERVICE OF PROCESS. (a) For a will contest, the party contesting the will ~~[The court]~~ shall serve an institution or organization that is a necessary party to the contest under Section 55.052 in the manner provided by this title for service on other parties.

(b) For a will construction suit, the party bringing the suit shall serve an institution or organization that is a necessary party to the suit under Section 55.052 in the manner provided by this title for service on other parties.

SECTION 2. Section 55.053, Estates Code, as amended by this Act, applies only to a will contest or will construction suit that is instituted on or after the effective date of this Act. A will contest or will construction suit that was instituted before the effective date of this Act is governed by the law in effect on the date the contest or suit was instituted, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I certify that H.B. No. 1297 was passed by the House on April 9, 2021, by the following vote: Yeas 143, Nays 1, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1297 was passed by the Senate on May 19, 2021, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor