

1-1 By: Perry S.B. No. 156  
1-2 (In the Senate - Filed November 10, 2020; March 3, 2021,  
1-3 read first time and referred to Committee on State Affairs;  
1-4 March 17, 2021, reported favorably by the following vote: Yeas 9,  
1-5 Nays 0; March 17, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Hughes	X		
1-9	Birdwell	X		
1-10	Campbell	X		
1-11	Hall	X		
1-12	Lucio	X		
1-13	Nelson	X		
1-14	Powell	X		
1-15	Schwertner	X		
1-16	Zaffirini	X		

1-17 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to the transfer of certain probate proceedings to the  
1-20 county in which the executor or administrator of a decedent's  
1-21 estate resides.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subchapter C, Chapter 33, Estates Code, is  
1-24 amended by adding Section 33.1011 to read as follows:

1-25 Sec. 33.1011. TRANSFER TO COUNTY IN WHICH EXECUTOR OR  
1-26 ADMINISTRATOR RESIDES. (a) In this section, "immediate family  
1-27 member" means a person's parent, spouse, child, or sibling.

1-28 (b) After issuing letters testamentary or of administration  
1-29 to the executor or administrator of an estate in a probate  
1-30 proceeding, the court, on motion of the executor or administrator,  
1-31 may order that the proceeding be transferred to another county in  
1-32 this state in which the executor or administrator resides if no  
1-33 immediate family member of the decedent resides in the same county  
1-34 in which the decedent resided.

1-35 (c) The clerk of the court from which the probate proceeding  
1-36 described by Subsection (b) is transferred shall transmit to the  
1-37 court to which the proceeding is transferred:

1-38 (1) the original file in the proceeding; and

1-39 (2) a certified copy of the index.

1-40 (d) Notwithstanding the date of any transfer under this  
1-41 section, the executor or administrator shall provide the notice  
1-42 required by Section 308.051 in the county of the court that  
1-43 originally issued the letters testamentary or of administration.

1-44 SECTION 2. Section 33.1011, Estates Code, as added by this  
1-45 Act, applies only to the estate of a decedent who dies on or after  
1-46 the effective date of this Act. The estate of a decedent who dies  
1-47 before the effective date of this Act is governed by the law in  
1-48 effect on the date of the decedent's death, and the former law is  
1-49 continued in effect for that purpose.

1-50 SECTION 3. This Act takes effect September 1, 2021.

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