

BILL ANALYSIS

S.B. 1202
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

As part of its ongoing review of Texas probate, guardianship, and trust law, the Real Estate, Probate, and Trust Law Section of the State Bar of Texas has proposed updating dollar amounts specified in certain provisions of the Texas Uniform Transfers to Minors Act to reflect inflation since the provisions were enacted and to provide for consistency between the provisions. S.B. 1202 seeks to make those updates.

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

S.B. 1202 amends the Property Code to increase from \$10,000 to \$25,000 the minimum threshold amount at which an irrevocable transfer by a guardian, legal representative, or trustee to another adult or trust company as custodian for a minor's benefit in the absence of a will or under a will or trust that does not authorize such a transfer requires authorization by the court. The bill increases from \$15,000 to \$25,000 the cap on the value of property under which an irrevocable transfer to a custodian for the benefit of the minor by a person who holds property, including a benefit plan of a minor who does not have a guardian, or who owes a liquidated debt to a minor who does not have a guardian is authorized to be made to an adult member of the minor's family or to a trust company if a custodian has not been nominated or all persons nominated die before the transfer or are unable, decline, or are ineligible to serve.

EFFECTIVE DATE

September 1, 2015.