

BILL ANALYSIS

Senate Research Center
76R4135 CLG-D

S.B. 1552
By: Ellis
Jurisprudence
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As Filed

DIGEST

Currently, no method exists for a court to remove an out-of-state personal representative who fails to appoint a Texas resident to be served with process in connection with probate proceedings. S.B. 1552 provides for the removal of a personal representative of a decedent's estate under certain conditions.

PURPOSE

As proposed, S.B. 1552 sets forth provisions for the removal of a personal resident who, for various reasons, is unable to accomplish certain actions relating to a decedent's estate.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 222(a), Texas Probate Code, to authorize the court to remove any personal representative (representative) who cannot be served with processes because the representative's whereabouts are unknown, the representative is eluding service, or is not living in Texas and does not have a resident agent to accomplish certain actions relating to the estate of a decedent.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.