

## **BILL ANALYSIS**

Senate Research Center  
81R15411 CLG-D

H.B. 1460  
By: Paxton (Wentworth)  
Jurisprudence  
5/12/2009  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In determining the transfer of property in probate of a will, questions arise concerning the marital status of the decedent.

H.B. 1460 requires that an application for probate of a written will declare whether a marriage of the decedent was ever dissolved after the will was made, whether by divorce, annulment, or a declaration that the marriage was void.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 81(a), Texas Probate Code, to require that an application for probate of a written will declare certain information, including whether a marriage of the decedent was ever dissolved after the will was made, whether by divorce, annulment, or a declaration that the marriage was void, rather than whether the decedent was ever divorced, and if so, when and from whom.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2009.