

BILL ANALYSIS

H.B. 1814
By: Murr
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised about situations in which property has been handed down for generations leading to multiple people sharing the same name and even the same domicile who cannot be accurately identified in documents required for an application to probate a will, an application to probate a will as a muniment of title, and an application for letters of administration. Interested parties report there is a need to include more individual-specific identifying information in order to clarify the applicant and the testator or decedent, as applicable, in such documents. H.B. 1814 seeks to provide this clarity by requiring the inclusion of information such as portions of a driver's license number or social security number.

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

H.B. 1814 amends the Estates Code to require an application for the probate of a will and an application for the probate of a will as a muniment of title to state and aver the last three numbers of each applicant's driver's license number and social security number, if applicable, and the last three numbers of the testator's driver's license number and social security number to the extent each is known to the applicant or can, with reasonable diligence, be ascertained by the applicant.

H.B. 1814 requires an application for letters of administration when no will is alleged to exist to state the last three numbers of both the applicant's driver's license number and the applicant's social security number, if applicable, and the last three numbers of the decedent's driver's license number and social security number if known by the applicant at the time the applicant files the application. The bill requires such an application on which an applicant does not state the last three numbers of the decedent's driver's license number or social security number to state the reason the numbers are not stated.

EFFECTIVE DATE

September 1, 2017.