

## **BILL ANALYSIS**

H.B. 2762  
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Judiciary & Civil Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

It has been suggested that current limitations on the actions a personal representative of a decedent's estate may take without application to or order of the court make the representative's responsibilities unnecessarily burdensome. H.B. 2762 seeks to lighten those responsibilities by expanding the actions that do not require court involvement to include the hiring of certain professionals and payment of certain costs.

### **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. 2762 amends the Estates Code to include the following among the powers a personal representative of an estate may exercise without application to or order of the court:

- hiring an accountant, bookkeeper, or other tax professional to assist with any tax filing required for the decedent or the estate;
- hiring a real estate agent to assist with the marketing and selling of any real property of the estate;
- hiring an appraiser to assist with any valuations required for estate property for which the court has not appointed an appraiser to appraise the property; and
- paying all reasonable costs necessary to exercise the personal representative's duty of care and all reasonable costs related to the exercise of a power that does not require application to or order of the court.

### **EFFECTIVE DATE**

September 1, 2019.