

BILL ANALYSIS

Senate Research Center
76R1775 MXM-F

H.B. 1136
By: Thompson (Ellis)
Jurisprudence
4/9/1999
Engrossed

DIGEST

H.B. 2702 was passed by the 75th Legislature to amend Section 118.055, Local Government Code, to remedy conflicts between the Local Government Code and the Probate Code concerning the due dates of certain fees. However, the bill did not address certain similar references in the codes. H.B. 1136 would extend the time before certain probate fees can be charged for the filing of an inventory and appraisal, in order to be consistent with related provisions in the Probate Code and Local Government Code.

PURPOSE

As proposed, H.B. 1136 establishes conditions regarding fees charged for certain services performed by county clerks in a pending probate action.

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 Sections 118.056(a) and (b), Local Government Code, to establish that the fees for "Services in Pending Probate Action" are for services in an action in an open probate court docket rendered after the filing of an order approving the inventory and appraisal or after the 120th day, rather than the 90th day, after the date of the initial filing of the action, whichever occurs first. Makes a conforming change.

SECTION 2. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 3. Emergency clause.