

BILL ANALYSIS

Senate Research Center
77R1309 KLA-F

H.B. 537
By: Thompson (Wentworth)
Jurisprudence
4/11/2001
Engrossed

DIGEST AND PURPOSE

Currently, Texas law authorizes a judge of a statutory probate court to transfer a case over which the court lost jurisdiction to a court located in the same county as the probate court, but does not provide for the situation in which a judge wishes to transfer a case to the county from which the case originated. As proposed, H.B. 537 authorizes a judge of a statutory probate court that no longer has jurisdiction over a pending cause of action appertaining to or incident to an estate to transfer the cause of action to the originating court.

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 25.00221(b), Government Code, as added by Chapter 71, Acts of the 76th Legislature, Regular Session, 1999, as follows:

(b) Authorizes a judge to transfer a cause of action to the court from which the cause of action was transferred to the statutory probate court under Section 5B or 608, Texas Probate Code, if the judge of a statutory probate court that has jurisdiction over a cause of action appertaining to or incident to an estate pending in the statutory probate court determines that the court no longer has jurisdiction over the cause of action.

SECTION 2. (a) Effective date: September 1, 2001.

(b) Makes application of this Act prospective.