

BILL ANALYSIS

S.B. 1420
By: Zaffirini
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been asserted that the current process to recover funds of an estate paid to the comptroller of public accounts, which requires that a suit be filed against the comptroller, is too costly for the claimants and wastes resources within the comptroller's office. S.B. 1420 seeks to make the process more efficient by authorizing a person seeking to recover such funds to file a claim in the same manner as a person seeking to recover unclaimed property presumed to have been abandoned.

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

S.B. 1420 changes the manner by which an heir or devisee of an estate or an assignee of an heir or devisee may recover the share of the funds of the estate paid to the comptroller of public accounts to which the heir, devisee, or assignee is entitled by repealing Estates Code provisions relating to an action for recovery of those funds and amending the Estates Code to specify instead that the manner by which such a person may recover those funds is by filing a claim with the comptroller in the manner provided by Property Code provisions governing the recovery of unclaimed property presumed to have been abandoned.

S.B. 1420 repeals the following provisions of the Estates Code:

- Section 551.052
- Section 551.053
- Section 551.054
- Section 551.055

EFFECTIVE DATE

September 1, 2019.