

## **BILL ANALYSIS**

Senate Research Center  
77R1306 MTB-F

H.B. 1233  
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Jurisprudence  
4/26/2001  
Engrossed

### **DIGEST AND PURPOSE**

Current law does not authorize a guardian of the estate of a ward to purchase a prepaid funeral benefits contract, though some probate courts have and do issue orders authorizing a guardian to make such a purchase. However, this option may not be available in all courts exercising probate jurisdiction and guardians and attorneys may be unaware of the court's willingness to approve the purchase. H.B. 1233 amends the Texas Probate Code to authorize a guardian of the estate of a ward, if the guardian deems it is in the best interest of the estate and is so authorized by an order of the court, to purchase a prepaid funeral benefits contract.

### **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 774(a), Texas Probate Code, to authorize the guardian of the estate, on application and if authorized by an order, to renew or extend any obligation owed by or to the ward. Authorizes the guardian, on written application to the court and when a guardian of the estate deems it is in the best interest of the estate, and if authorized by an order of the court, to purchase a prepaid funeral benefits contract.

SECTION 2. Effective date: September 1, 2001.