

Is There Meat in Those Beans?

The 2019 Texas Estate and Trust Legislative Update

(Including Probate, Guardianships, Trusts,
Powers of Attorney, and Other Related Matters)

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June 21, 2019

PRELIMINARIES...

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Read the Paper!

- Or at least the main part of the paper (Parts 7 – 16).
- Due to time constraints, we can't cover every change described in the paper.
- Some of the ones we'll skip may be of interest to you.

(For those who care, the color of the titles and horizontal lines is "Living Coral" (Pantone 16-1546), Pantone's 2019 "Color of the Year.")

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Now That the Session is Over...

- You may download a separate supplement containing the actual language of bills marked to show what has been added to or deleted from statutes. Point your browser to:
www.snpalaw.com/resources/2019LegislativeSupplement
- Don't worry about writing this down. It's in Part 1 of the paper. And the last page of the paper.

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The 2019 REPTL “Big” Bills

- Decedents’ Estates
- Guardianships
- Trusts
- Medical Powers of Attorney
- Substantive Code Updates (Maybe Not So “Big”)
 - Updates outdated references in other codes to former Probate Code provisions that couldn’t be “nonsubstantively” updated by Leg. Council with confusion.
 - See example in paper (near end of Part 3) relating to Civ. Prac. & Rem. Code Sec. 71.012.
- Non-REPTL Leg. Council Nonsubstantive Code Update
 - Two minor Estates Code changes.

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The 2019 REPTL “Small” Bills

- Both from the “PAADs” Committee
- Both repeats from 2017 session
 - Anatomical Gifts
 - Allows use of one notary in lieu of two witnesses
 - Disposition of Remains
 - Revokes authority of spouse upon divorce
 - Court with jurisdiction of probate proceedings has jurisdiction over disposition dispute (even if probate hasn’t commenced).
 - But dispute over removal of remains is in county where cemetery located.
- But before we move on to the substance of the REPTL Decedents’ Estates bill...

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First appeared as part of the conference materials for the
21st Annual Estate Planning, Guardianship and Elder Law Conference session
"Legislative Update"