

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)

William D. Pargaman
SAUNDERS, NORVAL, PARGAMAN & ATKINS, LLP

Craig Hopper
HOPPER MIKESKA, PLLC

June 21, 2019

PRELIMINARIES...

SAUNDERS
NORVAL
PARGAMAN
&
ATKINS

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.")

SAUNDERS
NORVAL
PARGAMAN
ATKINS

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.

SAUNDERS
NORVAL
PARGAMAN
ATKINS

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 - Updates outdated references in other codes to former Probate Code provisions that couldn’t be “nonsubstantively” updated by Leg.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.

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...

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Is There Meat in Those Beans? The 2019 Texas Estate and Trust Legislative Update

Also available as part of the eCourse

[2019 Estate Planning, Guardianship, and Elder Law eConference](#)

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