

ESTATES CODE

TITLE 2. ESTATES OF DECEDENTS; DURABLE POWERS OF ATTORNEY
SUBTITLE D. PROCEEDINGS BEFORE ADMINISTRATION OF ESTATE
CHAPTER 153. ACCESS TO INTESTATE'S ACCOUNT WITH FINANCIAL
INSTITUTION

Sec. 153.001. DEFINITIONS. In this chapter:

(1) "Account" has the meaning assigned by Section 113.001.

(2) "Financial institution" has the meaning assigned by Section 201.101, Finance Code.

(3) "P.O.D. account" and "trust account" have the meanings assigned by Section 113.004.

Added by Acts 2015, 84th Leg., R.S., Ch. 217 (H.B. 705), Sec. 1, eff. September 1, 2015.

Sec. 153.002. INAPPLICABILITY OF CHAPTER. This chapter does not apply to:

(1) an account with a beneficiary designation;

(2) a P.O.D. account;

(3) a trust account; or

(4) an account that provides for a right of survivorship.

Added by Acts 2015, 84th Leg., R.S., Ch. 217 (H.B. 705), Sec. 1, eff. September 1, 2015.

Sec. 153.003. COURT-ORDERED ACCESS TO INTESTATE'S ACCOUNT INFORMATION. (a) In this section, "interested person" means an heir, spouse, creditor, or any other having a property right in or claim against the decedent's estate.

(b) On application of an interested person or on the court's own motion, a court may issue an order requiring a financial institution to release to the person named in the order information concerning the balance of each account that is maintained at the financial institution of a decedent who dies intestate if:

(1) 90 days have elapsed since the date of the decedent's death;

(2) no petition for the appointment of a personal representative for the decedent's estate is pending; and

(3) no letters testamentary or of administration have been granted with respect to the estate.

Added by Acts 2015, 84th Leg., R.S., Ch. 217 (H.B. [705](#)), Sec. 1, eff. September 1, 2015.