ESTATES CODE

TITLE 2. ESTATES OF DECEDENTS; DURABLE POWERS OF ATTORNEY

SUBTITLE B. PROCEDURAL MATTERS

CHAPTER 56. CHANGE AND RESIGNATION OF RESIDENT AGENT OF PERSONAL REPRESENTATIVE FOR SERVICE OF PROCESS

Sec. 56.001.  CHANGE OF RESIDENT AGENT. (a) A personal representative of an estate may change the representative's resident agent to accept service of process in a probate proceeding or other action relating to the estate by filing with the court in which the probate proceeding is pending a statement titled "Designation of Successor Resident Agent" that states the names and addresses of:

(1)  the representative;

(2)  the resident agent; and

(3)  the successor resident agent.

(b)  The designation of a successor resident agent takes effect on the date a statement under Subsection (a) is filed with the court.

Added by Acts 2009, 81st Leg., R.S., Ch. [680](http://www.legis.state.tx.us/tlodocs/81R/billtext/html/HB02502F.HTM), Sec. 1, eff. January 1, 2014.

Sec. 56.002.  RESIGNATION OF RESIDENT AGENT. (a) A resident agent of a personal representative may resign as resident agent by giving notice to the representative and filing with the court in which the probate proceeding is pending a statement titled "Resignation of Resident Agent" that states:

(1)  the name of the representative;

(2)  the representative's address most recently known by the resident agent;

(3)  that notice of the resignation has been given to the representative and the date that notice was given; and

(4)  that the representative has not designated a successor resident agent.

(b)  The resident agent shall send, by a qualified delivery method, a copy of a resignation statement filed under Subsection (a) to:

(1)  the personal representative at the address most recently known by the resident agent; and

(2)  each party in the case or the party's attorney or other designated representative of record.

(c)  The resignation of a resident agent takes effect on the date the court enters an order accepting the resignation.  A court may not enter an order accepting the resignation unless the resident agent complies with this section.

Added by Acts 2009, 81st Leg., R.S., Ch. [680](http://www.legis.state.tx.us/tlodocs/81R/billtext/html/HB02502F.HTM), Sec. 1, eff. January 1, 2014.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 205 (S.B. [1373](http://www.legis.state.tx.us/tlodocs/88R/billtext/html/SB01373F.HTM)), Sec. 7, eff. September 1, 2023.