



**OLD REPUBLIC**  
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# Bulletin

**To:** All Agents, Direct Operations & Attorneys in the State of Texas  
**From:** David W. Rhodes, Sr. Underwriting Counsel  
**Date:** August 31, 2007  
**Re:** Notice Required to Beneficiaries under a Will—SB 593

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Section 128A of the Probate Code was substantially amended and expanded. The personal representative of an estate, which includes an Independent Executor or Independent Administrator, is required to give notice to each beneficiary named in a Will no later than sixty (60) days after a will is admitted to probate. Requirements of the Notice are set out in the statute. The notice should be sent certified mail, return receipt requested and attach a copy of the Will and the Order admitting the Will into probate.

Not later than ninety (90) days after the Will is admitted to Probate, the personal representative of an estate shall file an affidavit with the Probate Court stating to whom the Notice was mailed and the names and addresses of any beneficiaries whose identity or address could not be ascertained. No penalties for failure to provide the Notice are included in the Statute, so compliance will be up to the Judge of the Probate Court.

**This new requirement takes effect September 1, 2007.**

Any questions concerning this Bulletin should be directed to the Legal Department.

**Underwriting Counsel**

David Rhodes  
Steve Streiff

**Administration**

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