

1-1 By: Zaffirini S.B. No. 498  
 1-2 (In the Senate - Filed January 17, 2017; February 6, 2017,  
 1-3 read first time and referred to Committee on State Affairs;  
 1-4 March 28, 2017, reported favorably by the following vote: Yeas 8,  
 1-5 Nays 0; March 28, 2017, sent to printer.)

1-6 COMMITTEE VOTE

|      | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-7  |     |     |        |     |
| 1-8  | X   |     |        |     |
| 1-9  | X   |     |        |     |
| 1-10 | X   |     |        |     |
| 1-11 | X   |     |        |     |
| 1-12 | X   |     |        |     |
| 1-13 | X   |     |        |     |
| 1-14 | X   |     |        |     |
| 1-15 |     |     | X      |     |
| 1-16 | X   |     |        |     |

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the use of person first respectful language instead of  
 1-20 the term "ward."

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 22.033, Estates Code, is amended to read  
 1-23 as follows:

1-24 Sec. 22.033. WARD; PERSON WITH A GUARDIAN. "Ward" or  
 1-25 "person with a guardian" means a person for whom a guardian has been  
 1-26 appointed.

1-27 SECTION 2. Chapter 1001, Estates Code, is amended by adding  
 1-28 Section 1001.004 to read as follows:

1-29 Sec. 1001.004. USE OF PERSON FIRST RESPECTFUL LANGUAGE  
 1-30 INSTEAD OF WARD. (a) The legislature, the Texas Legislative  
 1-31 Council, and other state agencies and entities are directed to  
 1-32 avoid using the term "ward" in any new provision of law and are  
 1-33 directed to replace, as appropriate, that term in any existing law  
 1-34 as that existing law is otherwise amended with the following  
 1-35 preferred terms or phrases or appropriate variations of those terms  
 1-36 or phrases:

- 1-37 (1) "person";
- 1-38 (2) "incapacitated person"; and
- 1-39 (3) "person with a guardian."

1-40 (b) A law is not invalid solely because it does not employ  
 1-41 this section's preferred terms or phrases.

1-42 SECTION 3. Section 1002.026, Estates Code, is amended to  
 1-43 read as follows:

1-44 Sec. 1002.026. PROPOSED WARD; ALLEGED INCAPACITATED  
 1-45 PERSON. "Proposed ward" or "alleged incapacitated person" means a  
 1-46 person alleged in a guardianship proceeding to be incapacitated.

1-47 SECTION 4. Section 1002.030, Estates Code, is amended to  
 1-48 read as follows:

1-49 Sec. 1002.030. WARD; PERSON WITH A GUARDIAN. "Ward" or  
 1-50 "person with a guardian" means a person for whom a guardian has been  
 1-51 appointed.

1-52 SECTION 5. Section 155.001(7), Government Code, is amended  
 1-53 to read as follows:

1-54 (7) "Ward" or "person with a guardian" has the meaning  
 1-55 assigned by Chapter 1002, Estates [~~Section 601, Texas Probate~~]  
 1-56 Code.

1-57 SECTION 6. Section 411.114(a)(1)(E), Government Code, is  
 1-58 amended to read as follows:

1-59 (E) "Ward" or "person with a guardian" has the  
 1-60 meaning assigned by Chapter 1002, Estates [~~Section 601, Texas~~  
 1-61 ~~Probate~~] Code.

2-1 SECTION 7. Section 240.002(15), Property Code, is amended  
2-2 to read as follows:

2-3 (15) "Ward" or "person with a guardian" has the  
2-4 meaning assigned by Section 22.033, Estates Code.

2-5 SECTION 8. To the extent of any conflict, this Act prevails  
2-6 over another Act of the 85th Legislature, Regular Session, 2017,  
2-7 relating to nonsubstantive additions to and corrections in enacted  
2-8 codes.

2-9 SECTION 9. This Act takes effect immediately if it receives  
2-10 a vote of two-thirds of all the members elected to each house, as  
2-11 provided by Section 39, Article III, Texas Constitution. If this  
2-12 Act does not receive the vote necessary for immediate effect, this  
2-13 Act takes effect September 1, 2017.

2-14

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