

1-1 By: Taylor of Galveston, Perry S.B. No. 1559
1-2 (In the Senate - Filed March 8, 2017; March 21, 2017, read
1-3 first time and referred to Committee on State Affairs; May 1, 2017,
1-4 reported adversely, with favorable Committee Substitute by the
1-5 following vote: Yeas 9, Nays 0; May 1, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Huffman	X		
1-9	Hughes	X		
1-10	Birdwell	X		
1-11	Creighton	X		
1-12	Estes	X		
1-13	Lucio	X		
1-14	Nelson	X		
1-15	Schwertner	X		
1-16	Zaffirini	X		

1-17 COMMITTEE SUBSTITUTE FOR S.B. No. 1559 By: Zaffirini

1-18 A BILL TO BE ENTITLED
1-19 AN ACT

1-20 relating to a fee exemption for guardianship proceedings of certain
1-21 military servicemembers and certain law enforcement officers,
1-22 firefighters, and other first responders.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subchapter B, Chapter 1053, Estates Code, is
1-25 amended by adding Sections 1053.053 and 1053.054 to read as
1-26 follows:

1-27 Sec. 1053.053. EXEMPTION FROM GUARDIANSHIP PROCEEDING FEES
1-28 FOR CERTAIN MILITARY SERVICEMEMBERS. (a) In this section, "combat
1-29 zone" means an area that the president of the United States by
1-30 executive order designates for purposes of 26 U.S.C. Section 112 as
1-31 an area in which armed forces of the United States are or have
1-32 engaged in combat.

1-33 (b) Notwithstanding any other law, the clerk of a county
1-34 court may not charge, or collect from, the estate of a proposed ward
1-35 or ward any of the following fees if the court finds that the
1-36 proposed ward or ward became incapacitated as a result of a personal
1-37 injury sustained while in active service as a member of the armed
1-38 forces of the United States in a combat zone:

1-39 (1) a fee for the filing of a guardianship proceeding;
1-40 and

1-41 (2) a fee for any service rendered by the court
1-42 regarding the administration of the guardianship.

1-43 (c) The clerk of a county court is not required to refund a
1-44 fee exempt under this section that is paid before September 1, 2017.
1-45 This subsection expires September 1, 2019.

1-46 Sec. 1053.054. EXEMPTION FROM GUARDIANSHIP FEES FOR CERTAIN
1-47 LAW ENFORCEMENT OFFICERS, FIREFIGHTERS, AND OTHERS. (a) In this
1-48 section:

1-49 (1) "Eligible proposed ward" or "eligible ward" means
1-50 an individual listed in Section 615.003, Government Code.

1-51 (2) "Line of duty" and "personal injury" have the
1-52 meanings assigned by Section 615.021(e), Government Code.

1-53 (b) Notwithstanding any other law, the clerk of a court may
1-54 not charge, or collect from, the estate of an eligible proposed ward
1-55 or eligible ward any of the following fees if the court finds the
1-56 proposed ward or ward became incapacitated as a result of a personal
1-57 injury sustained in the line of duty in the individual's position as
1-58 described by Section 615.003, Government Code:

1-59 (1) a fee for the filing of a guardianship proceeding;
1-60 and

2-1 (2) a fee for any service rendered by the court
2-2 regarding the administration of the guardianship.

2-3 (c) The clerk of a county court is not required to refund a
2-4 fee exempt under this section that is paid before September 1, 2017.
2-5 This subsection expires September 1, 2019.

2-6 SECTION 2. The changes in law made by this Act apply to a
2-7 guardianship proceeding that is pending or commenced on or after
2-8 the effective date of this Act.

2-9 SECTION 3. This Act takes effect September 1, 2017.

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