

1-1 By: Zaffirini S.B. No. 1709
1-2 (In the Senate - Filed March 9, 2017; March 22, 2017, read
1-3 first time and referred to Committee on State Affairs;
1-4 April 12, 2017, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 12, 2017,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Huffman	X		
1-10	Hughes	X		
1-11	Birdwell	X		
1-12	Creighton	X		
1-13	Estes	X		
1-14	Lucio	X		
1-15	Nelson	X		
1-16	Schwertner	X		
1-17	Zaffirini	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1709 By: Hughes

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the requirement of a guardian to provide information
1-22 regarding a ward's health and residence to certain relatives of the
1-23 ward.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Sections 1151.056(a) and (g), Estates Code, are
1-26 amended to read as follows:

1-27 (a) This section applies only with respect to a relative
1-28 [~~relatives~~] described under Sections 1101.001(b)(13)(A)-(D):

1-29 (1) against whom a protective order has not been
1-30 issued to protect the ward;

1-31 (2) who has not been found by a court or other state
1-32 agency to have abused, neglected, or exploited the ward; and

1-33 (3) who has elected in writing to receive the notice
1-34 about a ward under this section.

1-35 (g) In considering a motion under Subsection (e), the court
1-36 shall relieve the guardian of the duty to provide notice about a
1-37 ward to a relative under this section if the court finds that:

1-38 (1) the motion includes a written request from a
1-39 relative electing to not receive the notice;

1-40 (2) the guardian was unable to locate the relative
1-41 after making reasonable efforts to discover and locate the
1-42 relative;

1-43 (3) the guardian was able to locate the relative, but
1-44 was unable to establish communication with the relative after
1-45 making reasonable efforts to establish communication; or

1-46 (4) [~~a protective order was issued against the~~
1-47 ~~relative to protect the ward;~~

1-48 [~~(5) a court or other state agency has found that the~~
1-49 ~~relative abused, neglected, or exploited the ward; or~~

1-50 [~~(6)~~] notice is not in the best interest of the ward.

1-51 SECTION 2. The changes in law made by this Act apply to a
1-52 guardianship created before, on, or after the effective date of
1-53 this Act.

1-54 SECTION 3. This Act takes effect immediately if it receives
1-55 a vote of two-thirds of all the members elected to each house, as
1-56 provided by Section 39, Article III, Texas Constitution. If this
1-57 Act does not receive the vote necessary for immediate effect, this
1-58 Act takes effect September 1, 2017.

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