

1-1 By: Zaffirini S.B. No. 692  
1-2 (In the Senate - Filed February 22, 2021; March 11, 2021,  
1-3 read first time and referred to Committee on Jurisprudence;  
1-4 April 19, 2021, reported favorably by the following vote: Yeas 5,  
1-5 Nays 0; April 19, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Huffman	X		
1-9	Hinojosa	X		
1-10	Creighton	X		
1-11	Hughes	X		
1-12	Johnson	X		

1-13 A BILL TO BE ENTITLED  
1-14 AN ACT

1-15 relating to access to certain financial records by the guardianship  
1-16 abuse, fraud, and exploitation deterrence program.

1-17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-18 SECTION 1. Section 72.121, Government Code, is amended by  
1-19 amending Subdivision (1) and adding Subdivisions (1-a), (1-b), and  
1-20 (3) to read as follows:

1-21 (1) "Estate" has the meaning assigned by Section  
1-22 1002.010, Estates Code.

1-23 (1-a) "Financial institution" has the meaning assigned  
1-24 by Section 201.101, Finance Code.

1-25 (1-b) "Guardianship proceeding" has the meaning  
1-26 assigned by Section 1002.015, Estates Code.

1-27 (3) "Ward" has the meaning assigned by Section  
1-28 1002.030, Estates Code.

1-29 SECTION 2. Subchapter G, Chapter 72, Government Code, is  
1-30 amended by adding Section 72.1221 to read as follows:

1-31 Sec. 72.1221. PROGRAM ACCESS TO FINANCIAL RECORDS. (a) To  
1-32 the extent allowed and in the manner required by federal law, a  
1-33 financial institution or other person, as applicable, shall on  
1-34 request provide the program with access to financial institution  
1-35 records, accounting records, and other financial records  
1-36 concerning a ward or the ward's estate, including receipts, records  
1-37 of deposits and withdrawals, invoices, bills, and any other records  
1-38 of transactions involving the money or assets of a ward or the  
1-39 ward's estate, for purposes of conducting reviews and audits under  
1-40 the program.

1-41 (b) The program may request the court in which the  
1-42 guardianship is pending to order a financial institution or other  
1-43 person who possesses the records described by Subsection (a) to  
1-44 provide the records to the program.

1-45 (c) After notice and a hearing, the court may issue an order  
1-46 requiring the financial institution or other person to provide the  
1-47 records to the program under the conditions the court prescribes.

1-48 SECTION 3. This Act takes effect immediately if it receives  
1-49 a vote of two-thirds of all the members elected to each house, as  
1-50 provided by Section 39, Article III, Texas Constitution. If this  
1-51 Act does not receive the vote necessary for immediate effect, this  
1-52 Act takes effect September 1, 2021.

1-53 \* \* \* \* \*