

1-1 By: Zaffirini S.B. No. 66
1-2 (In the Senate - Filed November 12, 2024; February 3, 2025,
1-3 read first time and referred to Committee on Jurisprudence;
1-4 April 30, 2025, reported favorably by the following vote: Yeas 5,
1-5 Nays 0; April 30, 2025, 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 A BILL TO BE ENTITLED
1-14 AN ACT

1-15 relating to the authority of a supporter regarding legal
1-16 proceedings granted under a supported decision-making agreement.

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

1-18 SECTION 1. Section 1357.051, Estates Code, is amended to
1-19 read as follows:

1-20 Sec. 1357.051. SCOPE OF SUPPORTED DECISION-MAKING
1-21 AGREEMENT. An adult with a disability may voluntarily, without
1-22 undue influence or coercion, enter into a supported decision-making
1-23 agreement with a supporter under which the adult with a disability
1-24 authorizes the supporter to do any or all of the following:

1-25 (1) provide supported decision-making, including
1-26 assistance in understanding the options, responsibilities, and
1-27 consequences of the adult's life decisions, without making those
1-28 decisions on behalf of the adult with a disability;

1-29 (2) subject to Section 1357.054, assist the adult in
1-30 accessing, collecting, and obtaining information that is relevant
1-31 to a given life decision, including medical, psychological,
1-32 financial, educational, legal, or treatment records, from any
1-33 person;

1-34 (3) assist the adult with a disability in
1-35 understanding the information described by Subdivision (2); and

1-36 (4) assist the adult in communicating the adult's
1-37 decisions to appropriate persons.

1-38 SECTION 2. Section 1357.056(a), Estates Code, is amended to
1-39 read as follows:

1-40 (a) Subject to Subsection (b), a supported decision-making
1-41 agreement is valid only if it is in substantially the following
1-42 form:

1-43 SUPPORTED DECISION-MAKING AGREEMENT

1-44 Important Information For Supporter: Duties

1-45 When you agree to provide support to an adult with a
1-46 disability under this supported decision-making agreement, you
1-47 have a duty to:

1-48 (1) act in good faith;

1-49 (2) act within the authority granted in this
1-50 agreement;

1-51 (3) act loyally and without self-interest; and

1-52 (4) avoid conflicts of interest.

1-53 Appointment of Supporter

1-54 I, (insert your name), make this agreement of my own free
1-55 will.

1-56 I agree and designate that: _____

1-57 Name: _____

1-58 Address: _____

1-59 Phone Number: _____

1-60 E-mail Address: _____

1-61 is my supporter. My supporter may help me with making everyday

2-1 life decisions relating to the following:
2-2 Y/N obtaining food, clothing, and shelter
2-3 Y/N taking care of my physical health
2-4 Y/N legal proceedings I am involved in, including civil
2-5 and criminal proceedings
2-6 Y/N managing my financial affairs.

2-7 My supporter is not allowed to make decisions for me. To
2-8 help me with my decisions, my supporter may:

2-9 1. Help me access, collect, or obtain information that is
2-10 relevant to a decision, including medical, psychological,
2-11 financial, educational, legal, or treatment records;

2-12 2. Help me understand my options so I can make an informed
2-13 decision; or

2-14 3. Help me communicate my decision to appropriate persons.

2-15 Y/N A release allowing my supporter to see protected
2-16 health information under the Health Insurance Portability and
2-17 Accountability Act of 1996 (Pub. L. No. 104-191) is attached.

2-18 Y/N A release allowing my supporter to see educational
2-19 records under the Family Educational Rights and Privacy Act of 1974
2-20 (20 U.S.C. Section 1232g) is attached.

2-21 Effective Date of Supported Decision-Making Agreement

2-22 This supported decision-making agreement is effective
2-23 immediately and will continue until (insert date) or until the
2-24 agreement is terminated by my supporter or me or by operation of
2-25 law.

2-26 Signed this _____ day of _____, 20____

2-27 Consent of Supporter

2-28 I, (name of supporter), consent to act as a supporter under
2-29 this agreement.

2-30 _____
2-31 (signature of supporter) (printed name of supporter)

2-32 Signature

2-33 _____
2-34 (my signature) (my printed name)

2-35 _____

2-36 (witness 1 signature) (printed name of witness 1)

2-37 _____

2-38 (witness 2 signature) (printed name of witness 2)

2-39 State of _____

2-40 County of _____

2-41 This document was acknowledged before me

2-42 on _____ (date)

2-43 by _____ and _____

2-44 (name of adult with a disability) (name of supporter)

2-45 _____

2-46 (signature of notarial officer)

2-47 (Seal, if any, of notary) _____

2-48 (printed name)

2-49 My commission expires: _____

2-50 WARNING: PROTECTION FOR THE ADULT WITH A DISABILITY

2-51 IF A PERSON WHO RECEIVES A COPY OF THIS AGREEMENT OR IS AWARE

2-52 OF THE EXISTENCE OF THIS AGREEMENT HAS CAUSE TO BELIEVE THAT THE

2-53 ADULT WITH A DISABILITY IS BEING ABUSED, NEGLECTED, OR EXPLOITED BY

2-54 THE SUPPORTER, THE PERSON SHALL REPORT THE ALLEGED ABUSE, NEGLECT,

2-55 OR EXPLOITATION TO THE DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES

2-56 BY CALLING THE ABUSE HOTLINE AT 1-800-252-5400 OR ONLINE AT

2-57 WWW.TXABUSEHOTLINE.ORG.

2-58 SECTION 3. The changes in law made by this Act apply to a

2-59 supported decision-making agreement entered into on or after the

2-60 effective date of this Act. A supported decision-making agreement

2-61 entered into before the effective date of this Act is governed by

2-62 the law as it existed on the date the supported decision-making

2-63 agreement was entered into, and the former law is continued in

2-64 effect for that purpose.

2-65 SECTION 4. This Act takes effect September 1, 2025.

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