

## **BILL ANALYSIS**

H.B. 1296  
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Judiciary & Civil Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

There are concerns regarding the inefficiencies in providing, by personal service, the notice to appear that must be given to a guardian when a court makes a motion to transfer a guardianship to another county. It has been noted that there are other forms of delivery that would be more appropriate for proceedings in which a guardian's removal is requested because of the guardian's failure to maintain certification. H.B. 1296 seeks to address these concerns by changing the method by which a guardian is provided such notice from personal service to certified mail.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1296 amends the Estates Code to change the method by which a guardian must be provided notice to appear if a court makes a motion to transfer the guardianship to another county from citation by personal service to certified mail. The bill specifies that certified mail, return receipt requested, is the method by which notice to appear must be provided to a guardian whose removal is requested because of the guardian's failure to maintain certification.

### **EFFECTIVE DATE**

September 1, 2021.