

BILL ANALYSIS

Senate Research Center

H.B. 3630
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Jurisprudence
5/12/1999
Engrossed

DIGEST

Currently, when a person applies for a legal guardianship for an incapacitated person, the applicant is required to be appointed as a guardian by a court. Perforce, the potential guardian incurs legal fees and may be deterred from applying for legal guardianship. H.B. 3630 expands the authority of the Health and Human Services Commission to award grant money to potential guardians, and requires a county clerk to take certain actions which will enable the maintenance of a current list of guardians.

PURPOSE

As proposed, H.B. 3630 expands the authority of the Health and Human Services Commission to award grant money to potential guardians, and requires a county clerk to take certain actions which will enable the maintenance of a current list of guardians.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 531.125, Government Code, to authorize the Health and Human Services Commission (commission) to award a grant to a local legal guardianship program to enable certain individuals to have legal representation in court if they are willing and able to be appointed guardians of proposed indigent wards. Deletes text regarding a center to establish local volunteer guardianship programs.

SECTION 2. Amends Section 697, Texas Probate Code, by amending Subsection (a) and adding Subsection (e), to require the clerk to submit to the commission certain contact information of guardians who have satisfied certification requirements of this section during the preceding year. Makes a nonsubstantive change.

SECTION 3. Amends Section 698(a), Texas Probate Code, to set forth requirements for the guardian of each person employed by a private professional guardian.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 1999.

SECTION 6. Emergency clause.