

BILL ANALYSIS

Senate Research Center
78R7043 CLG-D

H.B. 1709
By: Casteel (Wentworth)
Jurisprudence
5/9/2003
Engrossed

DIGEST AND PURPOSE

Currently, when a guardianship of a ward is terminated, the guardian must file a sworn affidavit with the court stating that the guardian has no possessions of the ward. However, there is no deadline for filing the affidavit. H.B. 1709 creates a deadline of 60 days after the date of guardianship is required to be settled as the date by which the affidavit is due.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 747(b), Texas Probate Code, to require the guardian, not later than the 60th day after the date on which the guardianship is required to be settled, to file with the court a sworn affidavit that states the reason the guardianship was terminated and to whom the property of the ward in the guardian's possession was delivered.

SECTION 2. Makes application of the changes in law made by this Act prospective.

SECTION 3. Effective date: September 1, 2003.