

1-1 By: Zaffirini S.B. No. 37
1-2 (In the Senate - Filed November 14, 2016; January 24, 2017,
1-3 read first time and referred to Committee on State Affairs;
1-4 March 6, 2017, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; March 6, 2017, sent to printer.)

1-6 COMMITTEE VOTE

1-7		Yea	Nay	Absent	PNV
1-8	Huffman	X			
1-9	Hughes	X			
1-10	Birdwell	X			
1-11	Creighton	X			
1-12	Estes	X			
1-13	Lucio	X			
1-14	Nelson	X			
1-15	Schwertner	X			
1-16	Zaffirini	X			

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the requirement to obtain certification for attorneys
1-20 representing persons in guardianship proceedings.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. The heading to Chapter 1054, Estates Code, is
1-23 amended to read as follows:

1-24 CHAPTER 1054. COURT OFFICERS, ~~[AND]~~ COURT-APPOINTED PERSONS, AND
1-25 ATTORNEYS

1-26 SECTION 2. The heading to Subchapter E, Chapter 1054,
1-27 Estates Code, is amended to read as follows:

1-28 SUBCHAPTER E. QUALIFICATIONS TO SERVE AS ~~[COURT-APPOINTED]~~
1-29 ATTORNEY

1-30 SECTION 3. Section 1054.201(a), Estates Code, is amended to
1-31 read as follows:

1-32 (a) An attorney representing any person's interests ~~[for an~~
1-33 ~~applicant for guardianship and a court-appointed attorney]~~ in a
1-34 guardianship proceeding, including an attorney ad litem, must be
1-35 certified by the State Bar of Texas, or a person or other entity
1-36 designated by the state bar, as having successfully completed a
1-37 course of study in guardianship law and procedure sponsored by the
1-38 state bar or the state bar's designee.

1-39 SECTION 4. Section 81.114(a), Government Code, is amended
1-40 to read as follows:

1-41 (a) The state bar shall provide a course of instruction for
1-42 attorneys who represent any person's interests ~~[parties]~~ in
1-43 guardianship cases or who serve as court-appointed guardians.

1-44 SECTION 5. The changes in law made by this Act to Section
1-45 1054.201, Estates Code, apply only to a guardianship proceeding
1-46 filed on or after the effective date of this Act. A guardianship
1-47 proceeding filed before the effective date of this Act is governed
1-48 by the law in effect on the date the proceeding was filed, and the
1-49 former law is continued in effect for that purpose.

1-50 SECTION 6. This Act takes effect September 1, 2017.

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