

1-1 By: Swanson (Senate Sponsor - Zaffirini) H.B. No. 266  
1-2 (In the Senate - Received from the House April 17, 2023;  
1-3 April 19, 2023, read first time and referred to Committee on  
1-4 Jurisprudence; May 3, 2023, reported favorably by the following  
1-5 vote: Yeas 5, Nays 0; May 3, 2023, 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 required filing and use of an affidavit containing  
1-16 the contact information of certain persons in a guardianship  
1-17 proceeding.

1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-19 SECTION 1. Subchapter A, Chapter 1101, Estates Code, is  
1-20 amended by adding Section 1101.003 to read as follows:

1-21 Sec. 1101.003. AFFIDAVIT CONTAINING CONTACT INFORMATION OF  
1-22 CERTAIN PERSONS. (a) Within the time prescribed by the court, a  
1-23 person who files an application under Section 1101.001 shall file  
1-24 an affidavit with the court that states the name, address,  
1-25 telephone number, e-mail address, and other contact information if  
1-26 known by the applicant for each person entitled to notice under  
1-27 Section 1051.104(a).

1-28 (b) An affidavit filed under this section is privileged and  
1-29 confidential. The affidavit may not be released or otherwise  
1-30 disclosed to the public.

1-31 (c) On qualification of a guardian, the court shall provide  
1-32 a copy of the affidavit filed under this section to the guardian if  
1-33 the guardian is not the person who filed the affidavit.

1-34 SECTION 2. Section 1151.056, Estates Code, is amended by  
1-35 adding Subsection (h) to read as follows:

1-36 (h) Unless the guardian knows the information is not  
1-37 correct, a guardian of a ward shall rely on the contact information  
1-38 contained in the affidavit required by Section 1101.003 to provide  
1-39 notice about the ward to a relative of the ward under this section.

1-40 SECTION 3. The changes in law made by this Act apply only to  
1-41 an application for the appointment of a guardian filed on or after  
1-42 the effective date of this Act. An application for the appointment  
1-43 of a guardian filed before the effective date of this Act is  
1-44 governed by the law in effect on the date the application was filed,  
1-45 and the former law is continued in effect for that purpose.

1-46 SECTION 4. This Act takes effect September 1, 2023.

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