

BILL ANALYSIS

S.B. 1236
By: West
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, an emergency order relating to protective services for certain elderly or disabled persons expires a certain period after the date the order is rendered or after the person was removed to a safer environment. A court may extend the emergency order, but the period for which the order may be extended is shorter than the period that the Department of Aging and Disability Services is authorized to take to determine whether permanent guardianship is appropriate for the individual. S.B. 1236 seeks to remedy this issue by increasing the number of days certain emergency protective orders can be in effect.

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

S.B. 1236 amends the Human Resources Code to authorize a probate or statutory or constitutional county court with probate jurisdiction over an elderly or disabled person under an emergency order for protective services, after notice and a hearing, to extend the order for a period of not more than 30 days after the date the original order would have expired, rather than the date the original order was rendered and to specify that such authorization does not apply to an order that terminated because of a physician's opinion in a medical report of an assessment of the elderly or disabled person's health status.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.