

By: Naishtat

H.B. No. 2411

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the authority of a guardian of the person of a ward to  
3 sign certain documents related to employment of the ward.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 1151.051(c), Estates Code, as effective  
6 January 1, 2014, is amended to read as follows:

7 (c) A guardian of the person has:

8 (1) the right to have physical possession of the ward  
9 and to establish the ward's legal domicile;

10 (2) the duty to provide care, supervision, and  
11 protection for the ward;

12 (3) the duty to provide the ward with clothing, food,  
13 medical care, and shelter;

14 (4) the power to consent to medical, psychiatric, and  
15 surgical treatment other than the inpatient psychiatric commitment  
16 of the ward; ~~and~~

17 (5) on application to and order of the court, the power  
18 to establish a trust in accordance with 42 U.S.C. Section  
19 1396p(d)(4)(B) and direct that the income of the ward as defined by  
20 that section be paid directly to the trust, solely for the purpose  
21 of the ward's eligibility for medical assistance under Chapter 32,  
22 Human Resources Code; and

23 (6) the power to sign documents necessary or  
24 appropriate to facilitate employment of the ward if:

1                   (A) the guardian was appointed with full  
2 authority over the person of the ward under Section 1101.151; or

3                   (B) the power is specified in the court order  
4 appointing the guardian with limited powers over the person of the  
5 ward under Section 1101.152.

6           SECTION 2. This Act takes effect January 1, 2014.