

By: Rodriguez of Travis

H.B. No. 2470

A BILL TO BE ENTITLED

AN ACT

relating to venue for actions to revoke certain medical powers of attorney.

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

SECTION 1. Section 166.165(a), Health and Safety Code, is amended to read as follows:

(a) A person who is a near relative of the principal or a responsible adult who is directly interested in the principal, including a guardian, social worker, physician, or clergyman, may bring an action in statutory probate court or, if there is no statutory probate court, in district court to request that the medical power of attorney be revoked because the principal, at the time the medical power of attorney was signed:

(1) was not competent; or

(2) was under duress, fraud, or undue influence.

SECTION 2. The change in law made by this Act applies to an action brought under Section 166.165(a), Health and Safety Code, on or after the effective date of this Act, regardless of whether the power of attorney was executed before, on, or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2013.