

BILL ANALYSIS

S.B. 1559
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that the regular fee schedule for a guardianship proceeding should not apply if the proceeding pertains to certain military servicemembers, law enforcement officers, fire fighters, or others. S.B. 1559 seeks to waive certain of those fees in such a proceeding.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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. 1559 amends the Estates Code to prohibit the clerk of a county court from charging or collecting from the estate of a proposed ward or ward a fee for the filing of a guardianship proceeding or a fee for any service rendered by the court regarding the administration of the guardianship if the court finds that the proposed ward or ward became incapacitated as a result of a personal injury sustained while in active service as a member of the U.S. armed forces in an area designated as a combat zone by the president of the United States or as the result of a personal injury sustained in the line of duty in the individual's position that would qualify an eligible survivor, under specified Government Code provisions, to financial assistance for survivors of certain law enforcement officers, fire fighters, and others. The bill, in temporary provisions set to expire September 1, 2019, establishes that the clerk of a county court is not required to refund a fee exempt under the bill's provisions that is paid before September 1, 2017. The bill's provisions apply to a guardianship proceeding that is pending or commenced on or after the bill's effective date.

EFFECTIVE DATE

September 1, 2017.