

1-1 By: Zaffirini, et al. S.B. No. 667
 1-2 (In the Senate - Filed January 30, 2017; February 15, 2017,
 1-3 read first time and referred to Committee on State Affairs;
 1-4 March 28, 2017, reported favorably by the following vote: Yeas 8,
 1-5 Nays 0; March 28, 2017, 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	X			
1-14	X			
1-15			X	
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to establishing a guardianship compliance program.
 1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-21 SECTION 1. Chapter 72, Government Code, is amended by
 1-22 adding Subchapter G to read as follows:
 1-23 SUBCHAPTER G. GUARDIANSHIP COMPLIANCE PROGRAM
 1-24 Sec. 72.121. DEFINITIONS. In this subchapter:
 1-25 (1) "Guardianship proceeding" has the meaning
 1-26 assigned by Section 1002.015, Estates Code.
 1-27 (2) "Program" means the guardianship compliance
 1-28 program established by this subchapter.
 1-29 Sec. 72.122. ESTABLISHMENT OF PROGRAM. (a) The office
 1-30 shall establish and maintain a guardianship compliance program
 1-31 designed to provide additional resources and assistance to courts
 1-32 that have jurisdiction over guardianship proceedings by:
 1-33 (1) engaging guardianship compliance specialists who
 1-34 shall:
 1-35 (A) review the guardianships of wards and
 1-36 identify reporting deficiencies by guardians;
 1-37 (B) audit annual accounts required to be filed by
 1-38 guardians under Chapter 1163, Estates Code, or other law and report
 1-39 their findings to the appropriate courts;
 1-40 (C) work with courts to develop best practices in
 1-41 managing guardianship cases; and
 1-42 (D) report any concerns relating to a ward's
 1-43 well-being or to the potential financial exploitation of a ward
 1-44 discovered as a result of the specialists' work under this section
 1-45 to the appropriate courts; and
 1-46 (2) maintaining an electronic database to monitor
 1-47 filings of:
 1-48 (A) inventories, appraisements, and lists of
 1-49 claims required under Chapter 1154, Estates Code, or Section
 1-50 1203.203, Estates Code;
 1-51 (B) annual reports required under Section
 1-52 1163.101, Estates Code; and
 1-53 (C) any other reports and accounts required of
 1-54 guardians under Chapter 1163, Estates Code, or other law.
 1-55 (b) A court is required to participate in the program,
 1-56 including allowing guardianship compliance specialists to conduct
 1-57 reviews and audits under the program, if the court is selected by
 1-58 the office to participate in the program.
 1-59 (c) A court may apply to the office in the manner and form
 1-60 prescribed by the office for participation in the program.
 1-61 Sec. 72.123. NOTIFICATION OF STATE COMMISSION ON JUDICIAL

2-1 CONDUCT. The director may notify the State Commission on Judicial
2-2 Conduct in writing if the office has reason to believe that a
2-3 judge's actions or failure to act with respect to a report received
2-4 from a guardianship compliance specialist indicating a concern
2-5 described by Section 72.122(a)(1)(D) constitutes judicial
2-6 misconduct.

2-7 Sec. 72.124. ANNUAL REPORT. Not later than January 1 of
2-8 each year, the office shall submit a report to the legislature
2-9 regarding the performance of the program. The report must include:

2-10 (1) the number of courts involved in the program;

2-11 (2) the number of guardianships reviewed by
2-12 guardianship compliance specialists;

2-13 (3) the number of reviewed guardianship cases found to
2-14 be out of compliance with statutory reporting requirements;

2-15 (4) the number of cases reported to a court because of
2-16 concerns relating to a ward's well-being or to the potential
2-17 financial exploitation of a ward; and

2-18 (5) the status of any technology developed to monitor
2-19 guardianship cases for purposes of the program.

2-20 SECTION 2. This Act takes effect September 1, 2017.

2-21 * * * * *