

By: Zaffirini  
(Leach)

S.B. No. 66

Substitute the following for S.B. No. 66:

By: Leach

C.S.S.B. No. 66

A BILL TO BE ENTITLED

AN ACT

relating to a study on authorizing a supporter under a supported decision-making agreement to assist an adult with a disability with legal proceedings.

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

SECTION 1. (a) In this section:

(1) "Adult," "disability," "supported decision-making agreement," and "supporter" have the meanings assigned by Section 1357.002, Estates Code.

(2) "Office" means the Office of Court Administration of the Texas Judicial System.

(b) The office shall conduct a study on the legal and ethical implications of authorizing a supporter under a supported decision-making agreement to assist an adult with a disability with legal proceedings in which the adult is involved.

(c) The study must:

(1) examine the effect of the supporter's involvement in civil or criminal legal proceedings on attorney-client privilege and confidentiality, including whether the presence of a supporter during legal consultations results in a waiver of privilege or other protection granted under law;

(2) identify provisions of the Estates Code and other relevant laws that may require amendment to provide for the adult's effective legal support while preserving protected communications

1 and ethical legal representation;

2 (3) evaluate best practices from other jurisdictions  
3 that balance autonomy of adults with disabilities and access to  
4 justice with confidentiality safeguards; and

5 (4) include recommendations for statutory changes  
6 that the office determines are appropriate based on the results of  
7 the study.

8 (d) In conducting the study, the office may consult with:

9 (1) Disability Rights Texas;

10 (2) relevant sections of the State Bar of Texas,  
11 including sections specializing in probate, legal ethics, and  
12 disability law;

13 (3) legal aid organizations and public defenders;

14 (4) members of the judiciary; and

15 (5) other stakeholders with experience in supported  
16 decision-making agreements, legal ethics, or disability rights.

17 (e) Not later than December 1, 2026, the office shall submit  
18 a report on its findings and recommendations to the governor, the  
19 lieutenant governor, the speaker of the house of representatives,  
20 and the appropriate standing committees of the senate and house of  
21 representatives.

22 SECTION 2. This Act takes effect September 1, 2025.