Chapter 16 S.B. No. 506

AN ACT

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2	relating to provisional certification for certain guardians.
3	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
4	SECTION 1. Subsections (b) and (d), Section 111.016,
5	Government Code, are amended to read as follows:
6	(b) The board shall:
7	(1) administer and enforce this chapter;
8	(2) develop and recommend proposed rules and
9	procedures to the supreme court as necessary to implement this
10	chapter;
11	(3) set the amount of each fee prescribed by Section
12	111.042, subject to the approval of the supreme court;
13	(4) establish the qualifications for obtaining:
14	(A) certification or recertification under
15	Section 111.042; and
16	(B) provisional certification under Section
17	111.0421;
18	(5) issue certificates to:
19	(A) individuals who meet the certification
20	requirements of Section 111.042; and
21	(B) individuals who meet the provisional
22	certification requirements of Section 111.0421; and
23	(6) perform any other duty required by this chapter or
24	other law.

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1	(d) The board shall maintain:
2	(1) a complete record of each board proceeding; and
3	(2) a complete record of each certification, including
4	a provisional certificate, issued, renewed, suspended, or revoked
5	under this chapter [Section 111.042].
6	SECTION 2. Subchapter C, Chapter 111, Government Code, is
7	amended by adding Section 111.0421 to read as follows:
8	Sec. 111.0421. PROVISIONAL CERTIFICATE. (a) Notwithstanding
9	Section 111.042(a), the board may issue a provisional certificate
10	to an individual who:
11	(1) does not meet the qualifications for obtaining
12	certification under Section 111.042; and
13	(2) possesses the qualifications for provisional
14	certification required by rules adopted by the supreme court.
15	(b) An individual who holds a provisional certificate may
16	provide guardianship services in this state only under the
17	supervision of an individual certified under Section 111.042.
18	(c) The supreme court may adopt rules and procedures for
19	issuing a provisional certificate under this section that, at a
20	minimum, must:
21	(1) ensure compliance with the standards adopted under
22	Section 111.041; and
23	(2) provide that the board establishes qualifications
24	for obtaining and maintaining the certification.
25	SECTION 3. Section 697B, Texas Probate Code, is amended by
26	adding Subsection (e) to read as follows:

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(e) In this section, "certified" includes holding a

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l	provisional certificate under Section 111.0421, Government Code.
2	SECTION 4. This Act takes effect immediately if it receives
3	a vote of two-thirds of all the members elected to each house, as
1	provided by Section 39, Article III, Texas Constitution. If this
5	Act does not receive the vote necessary for immediate effect, this
5	Act takes effect September 1, 2007.
	President of the Senate I hereby certify that S.B. No. 506 passed the Senate on March 29, 2007, by the following vote: Yeas 30, Nays 0.
	Secretary of the Senate I hereby certify that S.B. No. 506 passed the House on April 13, 2007, by the following vote: Yeas 143, Nays 0, two present not voting.
	Approved:

FILED IN THE OFFICE OF THE SECRETARY OF STATE 8:30 PM O'CLOCK