

CHAPTER 522

S.B. No. 831

AN ACT

relating to guardian bonds and amounts expended for education and maintenance.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subsection (b), Section 236, Texas Probate Code, is amended to read as follows:

(b) Court Approval of Previous Expenditures. When a guardian has in good faith expended funds from the corpus of his ward's estate for support and maintenance for the ward, and when it is not convenient or possible to first secure approval of the Court, if the proof is clear and convincing that such expenditures were reasonable and proper and such that the Court would have granted authority to make the expenditures out of the corpus, and that the ward received the benefits of such expenditures, the judge, in the exercise of his sound discretion, may approve such expenditures in the same manner as if such expenditures were made by the guardian out of the income from the ward's estate. Provided, however, such expenditures *for each ward* may not exceed the sum of \$5,000 during an annual accounting period.

SECTION 2. This Act applies to expenditures made on or after its effective date. This Act may be applied, in the court's discretion, as to any estates that are open as of the effective date of this Act.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the

constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on April 15, 1993: Yeas 30, Nays 0; passed the House on May 21, 1993, by a non-record vote.

Approved June 8, 1993.

Effective Aug. 30, 1993, 90 days after date of adjournment.