

FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025

HB 149/a

March 17, 2025

Mr. President:

Your **JUDICIARY COMMITTEE**, to whom has been referred

**HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR
HOUSE BILL 149, as amended**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 3, lines 7 and 8, strike "may be in any form but" and insert in lieu thereof "shall be in a form promulgated by the supreme court that".

2. On page 4, line 3, strike "or" and insert in lieu thereof "whose signatures shall be acknowledged by".

3. On page 4, lines 6 and 7, strike "and to be capable of managing their affairs unless otherwise determined by a court" and insert in lieu thereof:

"until such time as the decision-maker's primary care practitioner and one other qualified health professional with training and experience in the assessment of functional impairment, or a court, determine that the decision-maker is unable to make the decision-maker's own decisions".

4. On page 4, line 25, strike "supporters" and insert in lieu thereof "a reasonable person".

5. On page 5, line 4, strike "avoid" and insert in lieu thereof "not engage in" and strike "and".

6. On page 5, line 7, strike the period and insert in lieu thereof a semicolon and between lines 7 and 8, insert:

"(6) not receive compensation as a result of the supporter's duties under a supported decision-making agreement; and

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(7) stop serving as a supporter if the supporter questions the capacity of the decision-maker to continue making decisions."

7. On page 5, line 8, strike "A" and insert in lieu thereof "In the absence of an applicable power of attorney, a".

8. On page 5, between lines 10 and 11, insert:

"(2) signing legal documents on behalf of the decision-maker;

(3) binding the decision-maker to a legal agreement;".

9. Renumber the succeeding paragraphs accordingly.

10. On page 5, strike lines 19 through 21.

11. On page 6, line 10, strike the subsection designation "A."

12. On page 6, strike lines 19 through 21 and insert in lieu thereof:

"SECTION 9. [NEW MATERIAL] DECISION-MAKER ACCESS TO PERSONAL INFORMATION.--The existence of a supported decision-making agreement does not preclude a decision-maker from seeking personal information without the assistance of the supporter."

13. On page 6, line 25, before the period, insert ", unless the person suspects abuse, neglect or exploitation and makes a report pursuant to Section 13 of the Supported Decision-Making Act".

14. Renumber sections to correspond to these amendments.,

and thence referred to the **FINANCE COMMITTEE**.

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Respectfully submitted,

Joseph Cervantes, Chair

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 9 For 0 Against

Yes: Brantley, Cervantes, Duhigg, Maestas, O'Malley, Paul,
Stewart, Thornton, Wirth

No: 0

Excused: None

Absent: None

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