

SUBJECT: Replacing use of term "ward" with person-first respectful language

COMMITTEE: Judiciary and Civil Jurisprudence — favorable, without amendment

VOTE: 6 ayes — Smithee, Farrar, Gutierrez, Hernandez, Laubenberg, Neave
1 nay — Rinaldi
2 present not voting — Murr, Schofield

SENATE VOTE: On final passage, April 19 — 31-0, on Local and Uncontested Calendar

WITNESSES: No public hearing

BACKGROUND: Some parties have noted that the term "ward" referring to persons under guardianship can be considered offensive and have called for the term to be replaced with person-first respectful language.

DIGEST: SB 498 would direct the Legislature, Texas Legislative Council, and other state agencies and entities to avoid using the term "ward" in any new provision of law and to replace that term as existing laws are otherwise amended with the following terms or phrases or their appropriate variations:

- person;
- incapacitated person; and
- person with a guardian.

The phrase "person with a guardian" could be used in place of the term "ward." The phrase "alleged incapacitated person" could be used in place of "proposed ward." A law would not be invalid solely because it did not employ these preferred terms.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2017.