

ESTATES CODE

TITLE 3. GUARDIANSHIP AND RELATED PROCEDURES

SUBTITLE I. OTHER SPECIAL PROCEEDINGS AND SUBSTITUTES FOR  
GUARDIANSHIP

CHAPTER 1356. COURT APPROVAL OF CERTAIN ARTS AND  
ENTERTAINMENT, ADVERTISEMENT, AND SPORTS CONTRACTS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 1356.001. DEFINITIONS. In this chapter:

(1) "Advertise" means to solicit or induce the purchase of consumer goods or services through electronic or print media, including:

- (A) radio;
- (B) television;
- (C) computer; or
- (D) direct mail.

(2) "Advertisement contract" means a contract under which a person is employed or agrees to advertise consumer goods or services.

(3) "Artist" means:

- (A) an actor who performs in a motion picture, theatrical, radio, television, or other entertainment production;
- (B) a musician or musical director;
- (C) a director or producer of a motion picture, theatrical, radio, television, or other entertainment production;
- (D) a writer;
- (E) a cinematographer;
- (F) a composer, lyricist, or arranger of musical compositions;
- (G) a dancer or choreographer of musical productions;
- (H) a model; or
- (I) any other individual who provides similar professional services in a motion picture, theatrical, radio, television, or other entertainment production.

(4) "Arts and entertainment contract" means a contract

under which:

(A) an artist is employed or agrees to provide services in a motion picture, theatrical, radio, television, or other entertainment production; or

(B) a person agrees to purchase, secure, sell, lease, license, or otherwise dispose of literary, musical, or dramatic tangible or intangible property or any rights in that property for use in the field of entertainment, including:

(i) a motion picture;

(ii) television;

(iii) the production of phonograph records;

or

(iv) theater.

(5) "Consumer goods" means goods used or bought for use primarily for personal, family, or household purposes.

(6) "Net earnings," with respect to a minor, means the total amount to be received for the services of the minor under a contract less:

(A) the amount required by law to be paid as taxes to any government or governmental agency;

(B) a reasonable amount to be spent for the support, care, maintenance, education, and training of the minor;

(C) fees and expenses paid in connection with procuring the contract or maintaining employment of the minor; and

(D) attorney's fees for services provided in connection with the contract or any other business of the minor.

(7) "Sports contract" means a contract under which an athlete is employed or agrees to participate, compete, or engage in a sports or athletic activity at a professional or amateur sports event or athletic event.

Added by Acts 2011, 82nd Leg., R.S., Ch. 823 (H.B. [2759](#)), Sec. 1.02, eff. January 1, 2014.

Sec. 1356.002. DURATION OF CONTRACT OF A MINOR. This chapter may not be construed to authorize a contract that binds a minor after the seventh anniversary of the date of the contract.

Added by Acts 2011, 82nd Leg., R.S., Ch. 823 (H.B. [2759](#)), Sec. 1.02,

eff. January 1, 2014.

#### SUBCHAPTER B. COURT ACTION REGARDING CERTAIN CONTRACTS

Sec. 1356.051. APPROVAL OF CERTAIN CONTRACTS OF A MINOR.

(a) On the petition of the guardian of the estate of a minor, a court may issue an order approving for purposes of this chapter an arts and entertainment contract, advertisement contract, or sports contract that is entered into by the minor.

(b) Approval of a contract under this section extends to the contract as a whole and each term and provision of the contract, including any optional or conditional contract provision relating to the extension or termination of the contract's term.

(c) A court may withhold approval of a contract in which part of the minor's net earnings will be set aside as provided by Section 1356.054 until the guardian of the minor's estate executes and files with the court written consent to the issuance of the order.

Added by Acts 2011, 82nd Leg., R.S., Ch. 823 (H.B. 2759), Sec. 1.02, eff. January 1, 2014.

Sec. 1356.052. NOTICE REQUIRED. Before the court may approve a contract under Section 1356.051, the guardian of the minor's estate must provide the other party to the contract notice of the petition and an opportunity to request a hearing in the manner provided by the court.

Added by Acts 2011, 82nd Leg., R.S., Ch. 823 (H.B. 2759), Sec. 1.02, eff. January 1, 2014.

Sec. 1356.053. NECESSARY PARTIES TO PROCEEDING. Each parent of a minor for whom a proceeding is brought under Section 1356.051 is a necessary party to the proceeding.

Added by Acts 2011, 82nd Leg., R.S., Ch. 823 (H.B. 2759), Sec. 1.02, eff. January 1, 2014.

Sec. 1356.054. SET-ASIDE AND PRESERVATION OF PORTION OF NET EARNINGS. (a) Notwithstanding any other law, in an order issued

under Section [1356.051](#), the court may require that a portion of the net earnings of the minor under the contract be set aside and preserved for the benefit of the minor in a trust created under Section [1301.053](#) or [1301.054](#) or a similar trust created under the laws of another state.

(b) The amount to be set aside under this section must be reasonable as determined by the court.

Added by Acts 2011, 82nd Leg., R.S., Ch. 823 (H.B. [2759](#)), Sec. 1.02, eff. January 1, 2014.

Sec. 1356.055. VALID CONTRACT NOT VOIDABLE. A contract approved under Section [1356.051](#) that is otherwise valid is not voidable solely on the ground that it was entered into by a person during the age of minority.

Added by Acts 2011, 82nd Leg., R.S., Ch. 823 (H.B. [2759](#)), Sec. 1.02, eff. January 1, 2014.

Sec. 1356.056. GUARDIAN AD LITEM. The court may appoint a guardian ad litem for a minor who has entered into an arts and entertainment contract, advertisement contract, or sports contract if the court finds that the appointment would be in the best interest of the minor.

Added by Acts 2011, 82nd Leg., R.S., Ch. 823 (H.B. [2759](#)), Sec. 1.02, eff. January 1, 2014.