

PROPERTY CODE

TITLE 10. MISCELLANEOUS BENEFICIAL PROPERTY INTERESTS

SUBTITLE A. PERSONS UNDER DISABILITY

CHAPTER 141. TRANSFERS TO MINORS

Sec. 141.001. SHORT TITLE. This chapter may be cited as the Texas Uniform Transfers to Minors Act.

Amended by Acts 1995, 74th Leg., ch. 1043, Sec. 1, eff. Sept. 1, 1995. Renumbered from Property Code Sec. 1 by Acts 1997, 75th Leg., ch. 165, Sec. 31.01(72), eff. Sept. 1, 1997.

Sec. 141.002. DEFINITIONS. In this chapter:

(1) "Adult" means an individual who is at least 21 years of age.

(2) "Benefit plan" means a retirement plan, including an interest described by Sections 111.004(19)-(23).

(3) "Broker" means a person lawfully engaged in the business of effecting transactions in securities or commodities for the person's own account or for the account of another.

(4) "Court" means a court with original probate jurisdiction.

(5) "Custodial property" means:

(A) any interest in property transferred to a custodian under this chapter; and

(B) the income from and proceeds of that interest in property.

(6) "Custodian" means a person designated as a custodian under Section 141.010 or a successor or substitute custodian designated under Section 141.019.

(7) "Financial institution" means a bank, trust company, savings institution, or credit union chartered and supervised under state or federal law.

(8) "Guardian" means a person appointed or qualified by a court to act as general, limited, or temporary guardian of a minor's property or a person legally authorized to perform substantially the same functions.

(9) "Legal representative" means an executor,

independent executor, administrator or independent administrator of a decedent's estate, an obligor under a benefit plan or other governing instrument, a successor legal representative, or a person legally authorized to perform substantially the same functions.

(10) "Member of the minor's family" means the minor's parent, stepparent, spouse, grandparent, brother, sister, uncle, or aunt, whether of whole or half blood or by adoption.

(11) "Minor" means an individual who is younger than 21 years of age.

(12) "Transfer" means a transaction that creates custodial property under Section 141.010.

(12-a) "Qualified minor's trust" means a trust to which a gift is considered a present interest under Section 2503(c), Internal Revenue Code of 1986.

(13) "Transferor" means a person who makes a transfer under this chapter.

(14) "Trust company" means a financial institution, corporation, or other legal entity authorized to exercise general trust powers.

Amended by Acts 1995, 74th Leg., ch. 1043, Sec. 1, eff. Sept. 1, 1995. Renumbered from Property Code Sec. 2 by Acts 1997, 75th Leg., ch. 165, Sec. 31.01(72), eff. Sept. 1, 1997.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 451 (H.B. 564), Sec. 16, eff. September 1, 2007.

Sec. 141.003. SCOPE AND JURISDICTION. (a) This chapter applies to a transfer that refers to the Texas Uniform Transfers to Minors Act in the designation under Section 141.010(a) by which the transfer is made if at the time of the transfer, the transferor, the minor, or the custodian is a resident of this state or the custodial property is located in this state. The custodianship created under Section 141.010 remains subject to this chapter despite a subsequent change in residence of a transferor, the minor, or the custodian or the removal of custodial property from this state.

(b) A person designated as custodian under this chapter is subject to personal jurisdiction in this state with respect to any

matter relating to the custodianship.

(c) A transfer that purports to be made and that is valid under the Uniform Transfers to Minors Act, the Uniform Gifts to Minors Act, or a substantially similar act of another state is governed by the law of the designated state and may be executed and is enforceable in this state if at the time of the transfer, the transferor, the minor, or the custodian is a resident of the designated state or the custodial property is located in the designated state.

Amended by Acts 1995, 74th Leg., ch. 1043, Sec. 1, eff. Sept. 1, 1995. Renumbered from Property Code Sec. 3 by Acts 1997, 75th Leg., ch. 165, Sec. 31.01(72), eff. Sept. 1, 1997.

Sec. 141.004. NOMINATION OF CUSTODIAN. (a) A person having the right to designate the recipient of property transferable on the occurrence of a future event may revocably nominate a custodian to receive the property for a minor beneficiary on the occurrence of that event by naming the custodian followed in substance by the words: "as custodian for (name of minor) under the Texas Uniform Transfers to Minors Act." The nomination may name one or more persons as substitute custodians to whom the property must be transferred, in the order named, if the first nominated custodian dies before the transfer or is unable, declines, or is ineligible to serve. The nomination may be made in a will, a trust, a deed, an instrument exercising a power of appointment, or in a writing designating a beneficiary of contractual rights, including the right to receive payments from a benefit plan, that is registered with or delivered to the payor, issuer, or other obligor of the contractual rights.

(b) A custodian nominated under this section must be a person to whom a transfer of property of that kind may be made under Section [141.010\(a\)](#).

(c) The nomination of a custodian under this section does not create custodial property until the nominating instrument becomes irrevocable or a transfer to the nominated custodian is completed under Section [141.010](#). Unless the nomination of a custodian has been revoked, the custodianship becomes effective on

the occurrence of the future event, and the custodian shall enforce a transfer of the custodial property under Section [141.010](#).

Amended by Acts 1995, 74th Leg., ch. 1043, Sec. 1, eff. Sept. 1, 1995. Renumbered from Property Code Sec. 4 by Acts 1997, 75th Leg., ch. 165, Sec. 31.01(72), eff. Sept. 1, 1997.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 451 (H.B. [564](#)), Sec. 17, eff. September 1, 2007.

Sec. 141.005. TRANSFER BY GIFT OR EXERCISE OF POWER OF APPOINTMENT. A person may make a transfer by irrevocable gift to, or the irrevocable exercise of a power of appointment in favor of, a custodian for the benefit of a minor under Section [141.010](#).

Amended by Acts 1995, 74th Leg., ch. 1043, Sec. 1, eff. Sept. 1, 1995. Renumbered from Property Code Sec. 5 by Acts 1997, 75th Leg., ch. 165, Sec. 31.01(72), eff. Sept. 1, 1997.

Sec. 141.006. TRANSFER AUTHORIZED BY WILL OR TRUST. (a) A legal representative or trustee may make an irrevocable transfer under Section [141.010](#) to a custodian for a minor's benefit as authorized in the governing will or trust.

(b) If the testator or settlor has nominated a custodian under Section [141.004](#) to receive the custodial property, the transfer must be made to that person.

(c) If the testator or settlor has not nominated a custodian under Section [141.004](#), or all persons nominated as custodian die before the transfer or are unable, decline, or are ineligible to serve, the legal representative or the trustee shall designate the custodian from among those persons eligible to serve as custodian for property of that kind under Section [141.010](#)(a).

Amended by Acts 1995, 74th Leg., ch. 1043, Sec. 1, eff. Sept. 1, 1995. Renumbered from Property Code Sec. 6 by Acts 1997, 75th Leg., ch. 165, Sec. 31.01(72), eff. Sept. 1, 1997.

Sec. 141.007. OTHER TRANSFER BY FIDUCIARY. (a) Subject to Subsections (b) and (c), a guardian, legal representative, or trustee may make an irrevocable transfer to another adult or trust

company as custodian for a minor's benefit under Section [141.010](#) in the absence of a will or under a will or trust that does not contain an authorization to do so.

(b) With the approval of the court supervising the guardianship, a guardian may make an irrevocable transfer to another adult or trust company as custodian for the minor's benefit under Section [141.010](#).

(c) A transfer under Subsection (a) or (b) may be made only if:

(1) the legal representative or trustee considers the transfer to be in the best interest of the minor;

(2) the transfer is not prohibited by or inconsistent with provisions of the applicable will, trust agreement, or other governing instrument; and

(3) the transfer is authorized by the court if it exceeds \$25,000 in value.

Amended by Acts 1995, 74th Leg., ch. 1043, Sec. 1, eff. Sept. 1, 1995. Renumbered from Property Code Sec. 7 by Acts 1997, 75th Leg., ch. 165, Sec. 31.01(72), eff. Sept. 1, 1997.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 622 (S.B. [1202](#)), Sec. 1, eff. September 1, 2015.

Sec. 141.008. TRANSFER BY OBLIGOR. (a) Subject to Subsections (b) and (c), a person who is not subject to Section [141.006](#) or [141.007](#) and who holds property, including a benefit plan of a minor who does not have a guardian, or who owes a liquidated debt to a minor who does not have a guardian may make an irrevocable transfer to a custodian for the benefit of the minor under Section [141.010](#).

(b) If a person who has the right to nominate a custodian under Section [141.004](#) has nominated a custodian under that section to receive the custodial property, the transfer must be made to that person.

(c) If a custodian has not been nominated under Section [141.004](#), or all persons nominated as custodian die before the transfer or are unable, decline, or are ineligible to serve, a

transfer under this section may be made to an adult member of the minor's family or to a trust company unless the property exceeds \$25,000 in value.

Amended by Acts 1995, 74th Leg., ch. 1043, Sec. 1, eff. Sept. 1, 1995. Renumbered from Property Code Sec. 8 by Acts 1997, 75th Leg., ch. 165, Sec. 31.01(72), eff. Sept. 1, 1997.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 451 (H.B. 564), Sec. 18, eff. September 1, 2007.

Acts 2015, 84th Leg., R.S., Ch. 622 (S.B. 1202), Sec. 2, eff. September 1, 2015.

Sec. 141.009. RECEIPT FOR CUSTODIAL PROPERTY. A written acknowledgment of delivery by a custodian constitutes a sufficient receipt and discharge for custodial property transferred to the custodian under this chapter.

Amended by Acts 1995, 74th Leg., ch. 1043, Sec. 1, eff. Sept. 1, 1995. Renumbered from Property Code Sec. 9 by Acts 1997, 75th Leg., ch. 165, Sec. 31.01(72), eff. Sept. 1, 1997.

Sec. 141.010. MANNER OF CREATING CUSTODIAL PROPERTY AND EFFECTING TRANSFER; DESIGNATION OF INITIAL CUSTODIAN; CONTROL.

(a) Custodial property is created and a transfer is made when:

(1) an uncertificated security or a certificated security in registered form is:

(A) registered in the name of the transferor, an adult other than the transferor, or a trust company, followed in substance by the words: "as custodian for           (name of minor)           under the Texas Uniform Transfers to Minors Act"; or

(B) delivered if in certificated form, or any document necessary for the transfer of an uncertificated security is delivered, with any necessary endorsement to an adult other than the transferor or to a trust company as custodian, accompanied by an instrument in substantially the form set forth in Subsection (b);

(2) money is paid or delivered, or a security held in the name of a broker, financial institution, or its nominee is transferred, to a broker or financial institution for credit to an

account in the name of the transferor, an adult other than the transferor, or a trust company, followed in substance by the words: "as custodian for           (name of minor)           under the Texas Uniform Transfers to Minors Act";

(3) the ownership of a life or endowment insurance policy or annuity contract is:

(A) registered with the issuer in the name of the transferor, an adult other than the transferor, or a trust company, followed in substance by the words: "as custodian for           (name of minor)           under the Texas Uniform Transfers to Minors Act"; or

(B) assigned in a writing delivered to an adult other than the transferor or to a trust company whose name in the assignment is followed in substance by the words: "as custodian for           (name of minor)           under the Texas Uniform Transfers to Minors Act";

(4) an irrevocable exercise of a power of appointment or an irrevocable present right to future payment under a contract is the subject of a written notification delivered to the payor, issuer, or other obligor that the right is transferred to the transferor, an adult other than the transferor, or a trust company, whose name in the notification is followed in substance by the words: "as custodian for           (name of minor)           under the Texas Uniform Transfers to Minors Act";

(5) an interest in real property is conveyed by instrument recorded in the real property records in the county in which the real property is located to the transferor, an adult other than the transferor, or a trust company, followed in substance by the words: "as custodian for           (name of minor)           under the Texas Uniform Transfers to Minors Act";

(6) a certificate of title issued by a department or agency of a state or of the United States that evidences title to tangible personal property is:

(A) issued in the name of the transferor, an adult other than the transferor, or a trust company, followed in substance by the words: "as custodian for           (name of minor)           under the Texas Uniform Transfers to Minors Act"; or

(B) delivered to an adult other than the

transferor or to a trust company, endorsed to that person followed in substance by the words: "as a custodian for           (name of minor)           under the Texas Uniform Transfers to Minors Act"; or

(7) an interest in any property not described in Subdivisions (1)-(6) is transferred to an adult other than the transferor or to a trust company by a written instrument in substantially the form set forth in Subsection (b).

(b) An instrument in the following form satisfies the requirements of Subsections (a)(1)(B) and (7):

TRANSFER UNDER THE TEXAS UNIFORM TRANSFERS TO MINORS ACT

I, \_\_\_\_\_ (name of transferor or name and representative capacity if a fiduciary) hereby transfer to \_\_\_\_\_ (name of custodian), as custodian for \_\_\_\_\_ (name of minor) under the Texas Uniform Transfers to Minors Act, the following: (insert a description of the custodial property sufficient to identify it).

Dated: \_\_\_\_\_

\_\_\_\_\_(Signature)

\_\_\_\_\_ (name of custodian) acknowledges receipt of the property described above as custodian for the minor named above under the Texas Uniform Transfers to Minors Act.

Dated: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_(Signature of Custodian)

(c) A transferor shall place the custodian in control of the custodial property as soon as practicable.

Amended by Acts 1995, 74th Leg., ch. 1043, Sec. 1, eff. Sept. 1, 1995. Renumbered from Property Code Sec. 10 by Acts 1997, 75th Leg., ch. 165, Sec. 31.01(72), eff. Sept. 1, 1997.

Sec. 141.011. SINGLE CUSTODIANSHIP. A transfer may be made only for one minor, and only one person may be the custodian. All custodial property held under this chapter by the same custodian for the benefit of the same minor constitutes a single custodianship.

Amended by Acts 1995, 74th Leg., ch. 1043, Sec. 1, eff. Sept. 1, 1995. Renumbered from Property Code Sec. 11 by Acts 1997, 75th



Leg., ch. 165, Sec. 31.01(72), eff. Sept. 1, 1997.

Sec. 141.012. VALIDITY AND EFFECT OF TRANSFER. (a) The validity of a transfer made in a manner prescribed by this chapter is not affected by the:

(1) transferor's failure to comply with Section 141.010(c) concerning possession and control;

(2) designation of an ineligible custodian, except designation of the transferor in the case of property for which the transferor is ineligible to serve as custodian under Section 141.010(a); or

(3) death or incapacity of a person nominated under Section 141.004 or designated under Section 141.010 as custodian or the disclaimer of the office by that person.

(b) A transfer made under Section 141.010 is irrevocable, and the custodial property is indefeasibly vested in the minor. The custodian has all the rights, powers, duties, and authority provided in this chapter, and the minor or the minor's legal representative does not have any right, power, duty, or authority with respect to the custodial property except as provided by this chapter.

(c) By making a transfer, the transferor incorporates all the provisions of this chapter in the disposition and grants to the custodian, or to any third person dealing with a person designated as custodian, the respective powers, rights and immunities provided by this chapter.

Amended by Acts 1995, 74th Leg., ch. 1043, Sec. 1, eff. Sept. 1, 1995. Renumbered from Property Code Sec. 12 by Acts 1997, 75th Leg., ch. 165, Sec. 31.01(72), eff. Sept. 1, 1997.

Sec. 141.013. CARE OF CUSTODIAL PROPERTY. (a) A custodian shall:

(1) take control of custodial property;

(2) register or record title to custodial property if appropriate; and

(3) collect, hold, manage, sell, convey, invest, and reinvest custodial property.

(b) In dealing with custodial property, a custodian shall observe the standard of care that would be observed by a prudent person dealing with property of another and is not limited by any other statute restricting investments by fiduciaries. If a custodian has a special skill or expertise, the custodian shall use that skill or expertise. However, a custodian, in the custodian's discretion and without liability to the minor or the minor's estate, may retain any custodial property received from a transferor.

(c) A custodian may invest in or pay premiums on life insurance or endowment policies on the life of:

(1) the minor only if the minor or the minor's estate is the sole beneficiary; or

(2) another person in whom the minor has an insurable interest only to the extent that the minor, the minor's estate, or the custodian in the capacity of the custodian is the irrevocable beneficiary.

(d) A custodian at all times shall keep custodial property separate and distinct from all other property in a manner sufficient to identify it clearly as custodial property of the minor. Custodial property consisting of an undivided interest is so identified if the minor's interest is held as a tenant in common and is fixed. Custodial property subject to recordation is so identified if it is recorded, and custodial property subject to registration is so identified if it is registered, or held in an account designated, in the name of the custodian followed in substance by the words: "as custodian for \_\_\_\_\_ (name of minor) under the Texas Uniform Transfers to Minors Act."

(e) A custodian shall keep records of all transactions with respect to custodial property, including information necessary for the preparation of the minor's tax returns, and shall make the records available for inspection at reasonable intervals by a parent or legal representative of the minor or by the minor if the minor is at least 14 years of age.

Amended by Acts 1995, 74th Leg., ch. 1043, Sec. 1, eff. Sept. 1, 1995. Renumbered from Property Code Sec. 13 by Acts 1997, 75th Leg., ch. 165, Sec. 31.01(72), eff. Sept. 1, 1997.

Sec. 141.014. POWERS OF CUSTODIAN. (a) A custodian, acting in a custodial capacity, has all the rights, powers, and authority over custodial property that unmarried adult owners have over their own property, but a custodian may exercise those rights, powers, and authority in that capacity only.

(b) This section does not relieve a custodian from liability for breach of Section 141.013.

Amended by Acts 1995, 74th Leg., ch. 1043, Sec. 1, eff. Sept. 1, 1995. Renumbered from Property Code Sec. 14 by Acts 1997, 75th Leg., ch. 165, Sec. 31.01(72), eff. Sept. 1, 1997.

Sec. 141.015. USE OF CUSTODIAL PROPERTY. (a) A custodian may deliver or pay to the minor or expend for the minor's benefit as much of the custodial property as the custodian considers advisable for the use and benefit of the minor, without court order and without regard to:

(1) the duty or ability of the custodian personally or of any other person to support the minor; or

(2) any other income or property of the minor that may be applicable or available for that purpose.

(b) On petition of an interested person or the minor if the minor is at least 14 years of age, the court may order the custodian to deliver or pay to the minor or expend for the minor's benefit as much of the custodial property as the court considers advisable for the use and benefit of the minor.

(b-1) A custodian may, without a court order, transfer all or part of the custodial property to a qualified minor's trust. A transfer of property under this subsection terminates the custodianship to the extent of the property transferred.

(c) A delivery, payment, or expenditure under this section is in addition to, not in substitution for, and does not affect any obligation of a person to support the minor.

Added by Acts 1995, 74th Leg., ch. 1043, Sec. 1, eff. Sept. 1, 1995. Renumbered from Property Code Sec. 15 by Acts 1997, 75th Leg., ch. 165, Sec. 31.01(72), eff. Sept. 1, 1997.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 451 (H.B. 564), Sec. 19, eff. September 1, 2007.

Sec. 141.016. CUSTODIAN'S EXPENSES, COMPENSATION, AND BOND. (a) A custodian is entitled to reimbursement from custodial property for reasonable expenses incurred in the performance of the custodian's duties.

(b) Except for one who is a transferor under Section 141.005, a custodian has a noncumulative election during each calendar year to charge reasonable compensation for services performed by the custodian during that year.

(c) Except as provided by Section 141.019(f), a custodian is not required to give a bond.

Added by Acts 1995, 74th Leg., ch. 1043, Sec. 1, eff. Sept. 1, 1995. Renumbered from Property Code Sec. 16 by Acts 1997, 75th Leg., ch. 165, Sec. 31.01(72), eff. Sept. 1, 1997.

Sec. 141.017. EXEMPTION OF THIRD PERSON FROM LIABILITY. A third person, in good faith and without court order, may act on the instructions of or otherwise deal with any person purporting to make a transfer or act in the capacity of a custodian and, in the absence of knowledge, is not responsible for determining the:

- (1) validity of the purported custodian's designation;
- (2) propriety of, or the authority under this chapter for, any act of the purported custodian;
- (3) validity or propriety under this chapter of any instrument or instructions executed or given by the person purporting to make a transfer or by the purported custodian; or
- (4) propriety of the application of the minor's property delivered to the purported custodian.

Added by Acts 1995, 74th Leg., ch. 1043, Sec. 1, eff. Sept. 1, 1995. Renumbered from Property Code Sec. 17 by Acts 1997, 75th Leg., ch. 165, Sec. 31.01(72), eff. Sept. 1, 1997.

Sec. 141.018. LIABILITY TO THIRD PERSON. (a) A claim based on a contract entered into by a custodian acting in a custodial capacity, an obligation arising from the ownership or control of

custodial property, or a tort committed during the custodianship may be asserted against the custodial property by proceeding against the custodian in the custodian's custodial capacity, whether or not the custodian or the minor is personally liable for the claim.

(b) A custodian is not personally liable:

(1) on a contract properly entered into in the custodian's custodial capacity unless the custodian fails to reveal that capacity and to identify the custodianship in the contract; or

(2) for an obligation arising from control of custodial property or for a tort committed during the custodianship unless the custodian is personally at fault.

(c) A minor is not personally liable for an obligation arising from ownership of custodial property or for a tort committed during the custodianship unless the minor is personally at fault.

Added by Acts 1995, 74th Leg., ch. 1043, Sec. 1, eff. Sept. 1, 1995.  
Renumbered from Property Code Sec. 18 by Acts 1997, 75th Leg., ch. 165, Sec. 31.01(72), eff. Sept. 1, 1997.

Sec. 141.019. RENUNCIATION, RESIGNATION, DEATH, OR REMOVAL OF CUSTODIAN; DESIGNATION OF SUCCESSOR CUSTODIAN. (a) A person nominated to serve as a custodian under Section 141.004 or designated to serve as a custodian under Section 141.010 may decline to serve as custodian by delivering written notice to the person who made the nomination or to the transferor's legal representative. If the event giving rise to a transfer has not occurred and no substitute custodian who is able, willing, and eligible to serve was nominated under Section 141.004, the person who made the nomination may nominate a substitute custodian under Section 141.004; otherwise the transferor or the transferor's legal representative shall designate a substitute custodian at the time of the transfer, in either case from among the persons eligible to serve as custodian for that kind of property under Section 141.010(a). A substitute custodian designated under this section has the rights of a successor custodian.

(b) A custodian at any time may designate as successor

custodian a trust company or an adult other than a transferor under Section [141.005](#) by executing and dating an instrument of designation before a subscribing witness other than the successor. If the instrument of designation does not contain or is not accompanied by the custodian's resignation, the designation of the successor does not take effect until the custodian resigns, dies, becomes incapacitated, or is removed.

(c) A custodian may resign at any time by delivering:

(1) written notice to the successor custodian and to the minor if the minor is at least 14 years of age; and

(2) the custodial property to the successor custodian.

(d) If a custodian is ineligible, dies, or becomes incapacitated without having effectively designated a successor and the minor is at least 14 years of age, the minor may designate as successor custodian an adult member of the minor's family, a guardian of the minor, or a trust company in the manner prescribed by Subsection (b). If the minor is younger than 14 years of age or fails to act within 60 days after the ineligibility, death, or incapacity of the custodian, the minor's guardian becomes successor custodian. If the minor has no guardian or the minor's guardian declines to act, the transferor, the legal representative of the transferor or of the custodian, an adult member of the minor's family, or any other interested person may petition the court to designate a successor custodian.

(e) As soon as practicable, a custodian who declines to serve under Subsection (a) or resigns under Subsection (c), or the legal representative of a deceased or incapacitated custodian, shall put the custodial property and records in the possession and control of the successor custodian. The successor custodian by action may enforce the obligation to deliver custodial property and records and becomes responsible for each item as received.

(f) A transferor, the legal representative of a transferor, an adult member of the minor's family, a guardian of the person of the minor, the guardian of the minor, or the minor if the minor is at least 14 years of age may petition the court to:

(1) remove the custodian for cause and designate a successor custodian other than a transferor under Section [141.005](#);

or

(2) require the custodian to give appropriate bond.

Added by Acts 1995, 74th Leg., ch. 1043, Sec. 1, eff. Sept. 1, 1995.  
Renumbered from Property Code Sec. 19 by Acts 1997, 75th Leg., ch. 165, Sec. 31.01(72), eff. Sept. 1, 1997.

Sec. 141.020. ACCOUNTING BY AND DETERMINATION OF LIABILITY.

(a) A minor who is at least 14 years of age, the minor's guardian of the person or legal representative, an adult member of the minor's family, a transferor, or a transferor's legal representative may petition the court for:

(1) an accounting by the custodian or the custodian's legal representative; or

(2) a determination of responsibility, as between the custodial property and the custodian personally, for claims against the custodial property unless the responsibility has been adjudicated in an action under Section 141.018 to which the minor or the minor's legal representative was a party.

(b) A successor custodian may petition the court for an accounting by the predecessor custodian.

(c) The court, in a proceeding under this chapter or in any other proceeding, may require or permit the custodian or the custodian's legal representative to account.

(d) If a custodian is removed under Section 141.019(f), the court shall require an accounting and order delivery of the custodial property and records to the successor custodian and the execution of all instruments required for transfer of the custodial property.

Added by Acts 1995, 74th Leg., ch. 1043, Sec. 1, eff. Sept. 1, 1995.  
Renumbered from Property Code Sec. 20 by Acts 1997, 75th Leg., ch. 165, Sec. 31.01(72), eff. Sept. 1, 1997.

Sec. 141.021. TERMINATION OF CUSTODIANSHIP. The custodian shall transfer in an appropriate manner the custodial property to the minor or to the minor's estate on the earlier of the date:

(1) the minor attains 21 years of age, with respect to custodial property transferred under Section 141.005 or 141.006;

(2) the minor attains the age of majority under the laws of this state other than this chapter, with respect to custodial property transferred under Section 141.007 or 141.008; or

(3) the minor's death.

Added by Acts 1995, 74th Leg., ch. 1043, Sec. 1, eff. Sept. 1, 1995.  
Renumbered from Property Code Sec. 21 by Acts 1997, 75th Leg., ch. 165, Sec. 31.01(72), eff. Sept. 1, 1997.

Sec. 141.022. APPLICABILITY. Except as provided by Section 141.025, this chapter applies to a transfer within the scope of Section 141.003 made after September 1, 1995, if:

(1) the transfer purports to have been made under the Texas Uniform Gifts to Minors Act; or

(2) the instrument by which the transfer purports to have been made uses in substance the designation "as custodian under the Uniform Gifts to Minors Act" or "as custodian under the Uniform Transfers to Minors Act" of any other state, and the application of this chapter is necessary to validate the transfer.  
Added by Acts 1995, 74th Leg., ch. 1043, Sec. 1, eff. Sept. 1, 1995.  
Amended by Acts 1997, 75th Leg., ch. 221, Sec. 1, eff. Sept. 1, 1997. Renumbered from Property Code Sec. 22 by Acts 1997, 75th Leg., ch. 165, Sec. 31.01(72), eff. Sept. 1, 1997.

Sec. 141.023. EFFECT ON EXISTING CUSTODIANSHIPS. (a) Any transfer of custodial property under this chapter made before September 1, 1995, is validated notwithstanding that there was no specific authority in this chapter for the coverage of custodial property of that kind or for a transfer from that source at the time the transfer was made.

(b) Sections 141.002 and 141.021, with respect to the age of a minor for whom custodial property is held under this chapter, do not apply to custodial property held in a custodianship that terminated because the minor attained the age of 18 after August 26, 1973, and before September 1, 1995.

Added by Acts 1995, 74th Leg., ch. 1043, Sec. 1, eff. Sept. 1, 1995.  
Renumbered from Property Code Sec. 23 by Acts 1997, 75th Leg., ch.



165, Sec. 31.01(72), eff. Sept. 1, 1997.

Sec. 141.024. UNIFORMITY OF APPLICATION AND CONSTRUCTION. This chapter shall be applied and construed to effect its general purpose, to make uniform the law with respect to the subject of this chapter among states enacting that law.

Added by Acts 1995, 74th Leg., ch. 1043, Sec. 1, eff. Sept. 1, 1995. Renumbered from Property Code Sec. 24 by Acts 1997, 75th Leg., ch. 165, Sec. 31.01(72), eff. Sept. 1, 1997.

Sec. 141.025. ADDITIONAL TRANSFERS TO CUSTODIANSHIPS IN EXISTENCE BEFORE EFFECTIVE DATE OF ACT. (a) This section applies only to a transfer within the scope of Section 141.003 made after September 1, 1995, to a custodian of a custodianship established before September 1, 1995, under the Texas Uniform Gifts to Minors Act.

(b) This chapter does not prevent a person from making additional transfers to a custodianship described by Subsection (a). On the direction of the transferor or custodian, custodial property that is transferred to the custodianship shall be commingled with the custodial property of the custodianship established under the Texas Uniform Gifts to Minors Act. The additional transfers to the custodianship shall be administered and distributed on termination of the custodianship, as prescribed by this chapter, except that for purposes of Section 141.021, the custodian shall transfer the custodial property to:

(1) the beneficiary on the date the beneficiary attains 18 years of age or an earlier date as prescribed by Section 141.021; or

(2) the beneficiary's estate if the individual dies before the date prescribed by Subdivision (1).

Added by Acts 1997, 75th Leg., ch. 221, Sec. 2, eff. Sept. 1, 1997. Amended by Acts 1997, 75th Leg., ch. 165, Sec. 31.01(72), eff. Sept. 1, 1997. Renumbered from Property Code Sec. 25 by Acts 1999, 76th Leg., ch. 62, Sec. 19.01(91), eff. Sept. 1, 1999.