

April 21, 2005

H 1550. GUARDIANSHIP STUDY. TO ESTABLISH A LEGISLATIVE STUDY COMMISSION ON STATE GUARDIANSHIP LAWS. Establishes commission as title indicates to review State laws pertaining to guardianship and its relationship to other State laws such as the health care power of attorney, the right to a natural death, and durable power of attorney. Provides that commission will consist of 14 members, 7 appointed by the House Speaker, at least 4 of which must be members of the House, and 7 appointed by the President Pro Tem., at least 4 of which must be members of the Senate. Provides that public members must be experienced with guardianship laws, including court administrators, attorneys, judges, public or private guardians, or representatives of the interests of the elderly and disabled. Sets out 16 topics for study including: (1) whether guardianship should be a remedy of last resort used only if less restrictive alternatives are insufficient; (2) the legal rights retained or lost as a result of being adjudicated incompetent; and (3) whether the State should track the number of people under private guardianship and, if so, proposed methods for the tracking. Authorizes the commission to make an interim report to the 2005 General Assembly not later than May 1, 2006, and directs it to make a final report to the 2007 General Assembly prior to its convening. Appropriates \$30,000 from General Fund to the General Assembly for each fiscal year of the 2005-07 biennium for the study.

Intro. by Farmer-Butterfield.

Ref. to Judiciary II

STUDY, APPROP

May 12, 2005

H 1550. GUARDIANSHIP STUDY. Intro. 4/21/05. House committee substitute makes the following changes to 1st edition. Makes technical changes only.