

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	5 - 0 - 0
Yeas:	Bonamici, Boquist, Dingfelder, Whitsett, Prozanski
Nays:	0
Exc.:	0
Prepared By:	Bill Taylor, Counsel
Meeting Dates:	1/26, 2/23, 3/10

WHAT THE MEASURE DOES: Enacts the Uniform Guardianship and Protective Proceedings Jurisdiction Act. Sets forth the procedure for a court in this state to cooperate with a court in another state or foreign country in a guardianship or conservatorship proceedings. Allows a court in this state to request a court outside this state to, among other things, hold evidentiary hearings, order an assessment of the person subject to a guardianship or conservatorship, and order a person to produce evidence or give testimony. Substitutes the term “conservatorship” for “protective.” Requires courts in this state to accommodate courts from other jurisdictions in a similar manner. Defines “home state” as the state in which a person subject to a guardianship or conservatorship is physically present for at least six months. Defines “significant-connection state” as a state other than the home state where a person has significant connection other than mere physical presence.

ISSUES DISCUSSED:

- Benefits of uniformity
- Many people die with property located in more than one state

EFFECT OF COMMITTEE AMENDMENT: Substitutes the term “conservatorship” for “protective.”

BACKGROUND: We live in a very mobile society. Many people have roots in more than one state or even another country. This can create legal problems when a person is incapacitated and in need of a guardian or conservator. SB 238 sets forth a process and procedure for the appointment of a guardian or conservator for persons who are away from “home” and in need of a guardian or conservator. It defines what is a “home state” and what is a “significant-connection state.” It is a uniform act developed by The National Conference of Commissions on Uniform State Laws. Other states have or are in the process of adopting this uniform law.