

HB 2601 STAFF MEASURE SUMMARY

House Committee On Human Services and Housing

Action Date: 03/11/19

Action: Without recommendation as to passage and be referred to Judiciary.

Vote: 9-0-0-0

Yeas: 9 - Helt, Keny-Guyer, Meek, Mitchell, Noble, Sanchez, Schouten, Williams, Zika

Fiscal: Has minimal fiscal impact

Revenue: Revenue impact issued

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Meeting Dates: 3/11

WHAT THE MEASURE DOES:

Prohibits guardians from limiting a protected person's preferred associations, except in certain circumstances. Permits interested person to seek modification of guardian's powers in court with respect to limiting association and prescribes timeline for court hearing. Permits court to require guardian to pay interested person's court costs and attorney's fees if they prevail. Directs guardian to promote protected person's self-determination and instructs guardian's conduct to that end.

ISSUES DISCUSSED:

- No discussion; referral to another committee

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

A guardian is a person appointed by a court to protect and care for the health and well-being of an incapacitated person. Guardianships are under the jurisdiction of probate court. Any person who is interested in the welfare of a qualifying individual may be appointed as a guardian. Guardians differ from conservators in that guardians generally take care of health and placement issues while conservators deal with finances.