

AMENDMENTS TO SENATE BILL NO. 113

Sponsor: SENATOR GORDNER

Printer's No. 87

1 Amend Bill, page 1, line 4, by striking out "closest
2 relatives" and inserting
3 immediate family

4 Amend Bill, page 1, line 16, by striking out "closest
5 relatives" and inserting
6 immediate family

7 Amend Bill, page 2, by inserting between lines 11 and 12

8 (3) A guardian shall comply with a protective order that
9 remains in effect to protect the incapacitated person from
10 other persons, even if issued prior to the appointment of the
11 guardian.

12 Amend Bill, page 2, by inserting between lines 16 and 17

13 (1) the existence of a prior protective order or whether
14 a protective order is being sought to protect the
15 incapacitated person from the person seeking access to the
16 incapacitated person;

17 Amend Bill, page 2, line 17, by striking out "(1)" and
18 inserting

19 (2)

20 Amend Bill, page 2, line 20, by striking out "(2)" and
21 inserting

22 (3)

23 Amend Bill, page 2, line 23, by striking out "(3)" and
24 inserting

25 (4)

26 Amend Bill, page 2, line 26, by striking out "(4)" and

1 inserting

2 (5)

3 Amend Bill, page 5, lines 24 through 30; page 6, lines 1
4 through 7; by striking out all of said lines on said pages and
5 inserting

6 (f) Sanctions.--If a guardian has violated a court order
7 issued under this subchapter, the court may:

8 (1) require the guardian to grant a person access or
9 provide notice;

10 (2) restrict or reduce a guardian's right to
11 compensation, if any;

12 (3) modify the guardian's duties; or

13 (4) remove the guardian.

14 Amend Bill, page 6, line 8, by striking out "closest

15 relatives" and inserting

16 immediate family

17 Amend Bill, page 6, line 10, by striking out "closest

18 relatives" and inserting

19 immediate family

20 Amend Bill, page 6, line 14, by inserting after "person's"

21 permanent

22 Amend Bill, page 7, by inserting between lines 11 and 12

23 (c) Notifications.--

24 (1) The requirement to provide notice under subsection
25 (a) may be satisfied by providing notice to all persons
26 designated by the incapacitated person to be notified and to
27 the incapacitated person's spouse, if the spouse is not the
28 guardian.

29 (2) If the incapacitated person has no spouse, or the
30 spouse is acting as guardian, notice shall be sent to each of
31 the incapacitated person's children, if any.

32 (3) If the incapacitated person has no spouse or
33 surviving children, notification may be sent to a brother,
34 sister, grandchild or other person designated by the
35 incapacitated person to be notified, if any.