



## HOUSE COMMITTEE ON APPROPRIATIONS

# FISCAL NOTE

HOUSE BILL NO. 1720

PRINTERS NO. 2589

PRIME SPONSOR: Hennessey

### COST / (SAVINGS)

FUND	FY 2011/12	FY 2012/13
General Fund	\$0	\$0

**SUMMARY:** Amends Title 20 (Decedents, Estates, and Fiduciaries) by providing a process to address jurisdiction regarding multi-state uniform adult guardianship and protective order proceedings.

**ANALYSIS:** The legislation, the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act, would establish the framework to determine jurisdiction for guardian/ conservators, and protective orders between states, to transfer guardianship and authority of the guardian/ protective order and for communications regarding such cases between PA courts and those in other states. Only one state would have jurisdiction at any one time over these proceedings. Pennsylvania's current process for determining guardianship (Chapter 55 of Title 20) would not be affected by this legislation. The legislation includes provisions regarding the following: SubChapter A-international application, communication and cooperation between courts, taking testimony in another state; SubChapter B-exclusive jurisdictional basis for PA court to appoint a guardian/ issue a protective order, jurisdictions (significant-connection, special, exclusive and continuing, appropriate forums, decline by reason of conduct), notices of proceedings, proceedings in more than one state; SubChapter C-guardianship or conservatorship-ability to petition to transfer to another state and to accept from another state; SubChapter D-to register and recognize guardianship and protective orders from other states in this state by filing as a foreign judgment; SubChapter E-promoting uniform application of provisions and allowing for use of electronic delivery (for example signatures, contracts) as authorized by federal law.

**FISCAL IMPACT:** Enactment of this legislation would have no adverse fiscal impact on Commonwealth funds. It is assumed that any cost would be absorbed at the county court level within normal business activity as a part of the courts' schedules.

**PREPARED BY:** Kathy Vranicar  
House Appropriations Committee (R)

**DATE:** October 26, 2011

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*