

House Bill 1185

By: Representatives Lewis-Ward of the 109<sup>th</sup>, Beverly of the 143<sup>rd</sup>, Bennett of the 94<sup>th</sup>, and Drenner of the 85<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 29-4-22 of the Official Code of Georgia, relating to decisions on  
2 ward's well-being, obligations of guardian, and liability of guardian, so as to provide for the  
3 ward's right to communicate; to provide for related matters; to repeal conflicting laws; and  
4 for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 29-4-22 of the Official Code of Georgia Annotated, relating to decisions on  
8 ward's well-being, obligations of guardian, and liability of guardian, is amended by adding  
9 two new subparagraphs to paragraph (1) of subsection (b) to read as follows:

10 "(b) A guardian shall:

11 (1) Respect the rights and dignity of the ward;:

12 (A) Except to the extent determined by the court, by allowing a ward to retain and  
13 exercise all of the powers of a person without a disability, including the right to  
14 communicate, visit, or interact with other persons through visits, telephone calls, or  
15 personal mail; and

16 (B) By presuming a ward's consent to communication, visitation, or interaction with  
17 a person based on the ward's prior relationship with such person if the ward is unable  
18 to express consent because of a physical or mental condition:"

19 **SECTION 2.**

20 All laws and parts of laws in conflict with this Act are repealed.