



February 14, 2017

SENATE BILL No. 235

DIGEST OF SB 235 (Updated February 13, 2017 9:55 am - DI 84)

Citations Affected: IC 29-3.

Synopsis: Guardianships. Requires a guardian of a protected adult to permit all appropriate contact, communication, and social interaction between the protected adult and individuals with whom the protected adult had significant past family or social relationships, subject to a determination by the guardian, after consideration of all relevant facts and circumstances, that contact, communication, or social interaction with the protected adult should be limited, supervised, or prohibited in order to prevent harm to the protected adult's health, person, or property. Provides that any act or omission by the guardian in permitting contact, communication, and social interaction with the protected adult is subject to review and modification or other action by the court.

Effective: July 1, 2017.

Crider, Breaux

January 9, 2017, read first time and referred to Committee on Family and Children Services.
February 13, 2017, reported favorably — Do Pass.

SB 235—LS 6679/DI 92



February 14, 2017

First Regular Session 120th General Assembly (2017)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2016 Regular Session of the General Assembly.

SENATE BILL No. 235

A BILL FOR AN ACT to amend the Indiana Code concerning probate.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 29-3-8-3 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2017]: Sec. 3. **(a)** A guardian (other than a
3 temporary guardian) shall do the following:
4 (1) Act as a guardian with respect to the guardianship property
5 and observe the standards of care and conduct applicable to
6 trustees.
7 (2) Protect and preserve the property of the protected person
8 subject to guardianship and secure the protective orders or other
9 orders that are required to protect any other property of the
10 protected person.
11 (3) Conserve any property of the protected person in excess of the
12 protected person's current needs.
13 (4) Encourage self-reliance and independence of the protected
14 person.
15 (5) Consider recommendations relating to the appropriate
16 standard of support, care, education, and training for the protected
17 person or the protected person's dependent made by the protected

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1 person's parent.
2 **(6) Permit all appropriate contact, communication, and social**
3 **interaction between the protected adult and individuals with**
4 **whom the protected adult had significant past family or social**
5 **relationships, subject to a determination by the guardian,**
6 **after consideration of all relevant facts and circumstances,**
7 **that contact, communication, or social interaction with the**
8 **protected adult should be limited, supervised, or prohibited in**
9 **order to prevent harm to the protected adult's health, person,**
10 **or property.**
11 **(b) Any act or omission by the guardian in performing a duty**
12 **described in subsection (a)(6) is subject to review and modification**
13 **or other action by the court:**
14 **(1) upon the petition of any interested person; and**
15 **(2) after a hearing upon notice under IC 29-3-6-1(b).**



COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Senate Bill No. 235, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 235 as introduced.)

GROOMS, Chairperson

Committee Vote: Yeas 8, Nays 0

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