

FIRST REGULAR SESSION

HOUSE BILL NO. 1021

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MCGAUGH.

2262L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 475.125, RSMo, and to enact in lieu thereof one new section relating to support and education of protectees and dependents.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 475.125, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 475.125, to read as follows:

475.125. 1. The court may make orders for the management of the estate of the protectee for the care, education, treatment, habilitation, **respite**, support and maintenance of the protectee and for the maintenance of his **or her** family and education of his **or her** children, according to his **or her** means and obligation, if any, out of the proceeds of his **or her** estate, and may direct that payments for such purposes shall be made weekly, monthly, quarterly, semiannually or annually. The payments ordered under this section may be decreased or increased from time to time as ordered by the court.

2. Appropriations for any such purposes, expenses of administration and allowed claims shall be paid from the property or income of the estate. The court may authorize the conservator to borrow money and obligate the estate for the payment thereof if the court finds that funds of the estate for the payment of such obligation will be available within a reasonable time and that the loan is necessary. If payments are made to another under the order of the court, the conservator of the estate is not bound to see to the application thereof.

3. In acting under this section the court shall take into account any duty imposed by law or contract upon a parent or spouse of the protectee, a government agency, a trustee, or other person or corporation, to make payments for the benefit of or provide support, education, care, treatment, habilitation, **respite**, maintenance or safekeeping of the protectee and his **or her**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 dependents. The guardian of the person and the conservator of the estate shall endeavor to
19 enforce any such duty.

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