

SENATE BILL 711

By Stevens

AN ACT to amend Tennessee Code Annotated, Section
34-7-104, relative to the district public guardian.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 34-7-104, is amended by adding the following as a new subsection:

(1) Notwithstanding subsection (a) to the contrary, the executive director of the Tennessee commission on aging and disability may request the district public guardian to serve as a conservator for disabled persons who are younger than sixty (60) years of age if the following conditions are met:

(A) The request is made through a court; and

(B) The court has found on the record that:

(i) There are no other less intrusive alternatives available for the disabled person; and

(ii) The disabled person has no family members or other person, bank, or corporation willing and able to serve as conservator.

(2) Should the district public guardian take on the responsibilities of a guardian for a disabled person pursuant to this subsection (1), the guardian must adhere, in performing the guardian's duty, to all provisions of this chapter and to all applicable state laws.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.