

HOUSE BILL 1471

N2, O3, O2

0lr3027

By: **Delegates Bridges, Attar, Boyce, Conaway, Mosby, and Williams**

Introduced and read first time: February 7, 2020

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Guardianship of Disabled Persons – Delegation of Responsibilities – Limitation**

3 FOR the purpose of prohibiting the delegation of certain responsibilities of guardianship of
4 a disabled person to a certain staff person if the delegation would result in the staff
5 person being responsible for more than a certain number of guardianships; and
6 generally relating to guardianship.

7 BY repealing and reenacting, with amendments,

8 Article – Estates and Trusts

9 Section 13–707(a)(10)

10 Annotated Code of Maryland

11 (2017 Replacement Volume and 2019 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That the Laws of Maryland read as follows:

14 **Article – Estates and Trusts**

15 13–707.

16 (a) Persons are entitled to appointment as guardian of the person according to
17 the following priorities:

18 (10) (i) For adults less than 65 years old, the director of the local
19 department of social services or, for adults 65 years old or older, the Secretary of Aging or
20 the director of the area agency on aging, except in those cases where the department of
21 social services has been appointed guardian of the person before age 65; and

22 (ii) On appointment as guardian under item (i) of this item, directors
23 of local departments of social services, directors of area agencies on aging, and the Secretary
24 of Aging may delegate responsibilities of guardianship to staff persons whose names and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 positions have been registered with the court, **EXCEPT THAT A DELEGATION MAY NOT**
2 **RESULT IN A STAFF PERSON BEING RESPONSIBLE FOR THE GUARDIANSHIP OF MORE**
3 **THAN 26 INDIVIDUALS.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2020.