

SENATE BILL No. 163

DIGEST OF INTRODUCED BILL

Citations Affected: IC 29-3-2-4.

Synopsis: Guardians. Removes ambiguities in current law by specifying that: (1) when there is no conflict of interest between the guardian of the estate of a protected person and the protected person, an order binding the guardian of the estate binds the protected person; and (2) orders binding a guardian of the person bind the ward of a guardian of the estate, if a guardian of the estate has not been appointed. (The introduced version of this bill was prepared by the probate code study commission.)

Effective: July 1, 1998.

Landske

January 6, 1998, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.



Introduced

Second Regular Session 110th General Assembly (1998)

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 1997 General Assembly.

SENATE BILL No. 163

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 29-3-2-4, AS AMENDED BY P.L.118-1997,
2 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 1998]: Sec. 4. (a) All findings, orders, or other proceedings
4 under this article shall be in the discretion of the court unless otherwise
5 provided in this article.
6 (b) If there is **not** a conflict of interest between a guardian of an estate
7 and the **protected** person ~~whose estate is controlled by the guardian,~~ or
8 among persons represented, orders binding a guardian of an estate bind
9 the **protected** person. ~~whose estate the guardian controls.~~
10 (c) Orders binding a guardian **of the person** bind the ward if a
11 guardian of the ward's estate has not been appointed.

