



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 110 (Substitute S-1 as reported)
Sponsor: Senator Peter J. Lucido
Committee: Judiciary and Public Safety

CONTENT

The bill would amend the Estates and Protected Individuals Code (EPIC) to allow a court to appoint a limited guardian to supervise an incapacitated individual's access to a relative under certain conditions.

Under EPIC, the court may appoint a guardian if it finds by clear and convincing evidence that the individual for whom a guardian is sought is an incapacitated individual and that the appointment is necessary as a means of providing for his or her continuing care and supervision. Alternately, if the court finds by clear and convincing evidence that an individual is incapacitated and lacks the capacity to do some, but not all, of the tasks necessary to care for himself or herself, the court may appoint a limited guardian to provide guardianship services to the individual, but the court may not appoint a full guardian.

Under the bill, if the court found by clear and convincing evidence that an individual was incapacitated, that the person that had the care and custody of the individual denied another person access to the incapacitated individual, and that the individual desired contact with the other person or that contact with that person was in the individual's best interest, the court could appoint a limited guardian to supervise access with the other person.

MCL 700.5306

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 9-6-19

Fiscal Analyst: Michael Siracuse