

Legislature - First Session - 2015

Introducer's Statement of Intent

LB43

Chairperson: Senator Les Seiler

Committee: Judiciary

Date of Hearing: January 21, 2015

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 43 contains two provisions recommended by the Supreme Court's Commission on Guardianships and Conservatorships. The legislation would allow for the appointment of a standby guardian who could step in should the existing guardian become incapacitated. Appointing a standby guardian allows for the standby guardian to step in at a later date without further court order, and further delay, upon the death, unwillingness or inability to act, resignation, or removal by the court of the initially appointed guardian. The standby guardian shall have the same powers and duties as the initially appointed guardian. LB 43 further provides statutory authority in Neb. Rev. Stat. Sec. 30-3002 for guardians and conservators to recover the assets and any money or personal property of the ward including any power of attorney, advance health care directive, or power of attorney for health care decisions executed by the ward.

Principal Introducer: _____

Senator Colby Coash