

Bill No. SB 1958

Barcode 633086

CHAMBER ACTION

Senate

House

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

WD  
04/12/2005 02:33 PM

.  
. .  
. .  
. .  
. .  
. .

---

The Committee on Judiciary (Aronberg) recommended the following amendment:

**Senate Amendment (with title amendment)**

On page 35, between lines 10 and 11,

insert:

Section 23. Subsection (19) of section 744.474, Florida Statutes, is amended to read:

744.474 Reasons for removal of guardian.--A guardian may be removed for any of the following reasons, and the removal shall be in addition to any other penalties prescribed by law:

(19) Upon a showing by a person who did not receive notice of the petition for adjudication of incapacity, when such notice is required, or who is related to the ward within the relationships specified for nonresident relatives in ss. 744.309(2) and 744.312(2) and who has not previously been rejected by the court as a guardian that+

~~(a)~~ the current guardian is not a family member~~+~~ and subsection (20) applies.

Bill No. SB 1958

Barcode 633086

1            ~~(20)(b)~~ Removal of the current guardian is in the best  
2 interest of the ward,  
3  
4 the court may remove the current guardian and appoint the  
5 petitioner, or such person as the court deems in the best  
6 interest of the ward, either as guardian of the person or of  
7 the property, or both.

8  
9 (Redesignate subsequent sections.)

10

11

12 ===== T I T L E    A M E N D M E N T =====

13 And the title is amended as follows:

14            On page 5, line 1, after the first semicolon,

15

16 insert:

17            amending s. 744.474, F.S.; revising the  
18            circumstances under which a guardian may be  
19            removed;

20

21

22

23

24

25

26

27

28

29

30

31