

By Senator Margolis

35-00381A-16

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1 A bill to be entitled  
2 An act relating to professional guardians; creating s.  
3 744.1087, F.S.; limiting a professional guardian's  
4 appointments to no more than 50 wards for which the  
5 professional guardian receives compensation;  
6 prohibiting a professional guardian that has more than  
7 50 wards for which the professional guardian receives  
8 compensation from being appointed another ward after a  
9 certain date until the professional guardian has fewer  
10 than 50 wards; providing an exception; prohibiting a  
11 professional guardian from entering into any other  
12 contract for services or transacting additional  
13 business with a ward while serving as the ward's  
14 professional guardian; providing an effective date.

15  
16 Be It Enacted by the Legislature of the State of Florida:

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18 Section 1. Section 744.1087, Florida Statutes, is created  
19 to read:

20 744.1087 Maximum number of wards for professional  
21 guardians; limitations.-

22 (1) A natural person may be appointed as a professional  
23 guardian for up to 50 wards for which he or she receives  
24 compensation. If, as of July 1, 2016, such guardian has more  
25 than 50 wards for which he or she receives compensation, the  
26 guardian may not be appointed additional wards for which he or  
27 she receives compensation until he or she has fewer than 50  
28 wards.

29 (2) A trust company, a banking corporation, a partnership,

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30 or an association may be appointed as the professional guardian  
31 for up to 50 wards per single employee who serves in the  
32 capacity of a professional guardian. If, as of July 1, 2016, a  
33 trust company, a banking corporation, a partnership, or an  
34 association has more than 50 wards per single employee who  
35 serves in the capacity of a professional guardian for which the  
36 entity receives compensation, the entity may not be appointed  
37 additional wards for which it receives compensation until the  
38 entity has fewer than 50 wards per single employee who serves in  
39 the capacity of a professional guardian for which it receives  
40 compensation.

41 (3) A professional guardian may be appointed wards in  
42 addition to the limits specified in this section if the services  
43 rendered to the additional wards are on a pro bono basis.

44 (4) A professional guardian may not enter into any other  
45 contract for services or transact additional business with the  
46 ward while serving as the ward's professional guardian.

47 Section 2. This act shall take effect July 1, 2016.