

Senate File 295

H-8007

- 1 Amend Senate File 295, as passed by the Senate, as follows:
- 2 1. Page 1, line 3, by striking <2023> and inserting <2024>
- 3 2. Page 1, line 11, by striking <2023> and inserting <2024>
- 4 3. Page 1, line 16, by striking <2023> and inserting <2024>
- 5 4. Page 1, line 25, by striking <2023> and inserting <2024>
- 6 5. Page 1, line 29, by striking <2023> and inserting <2024>
- 7 6. Page 2, line 5, by striking <2023> and inserting <2024>
- 8 7. Page 2, line 9, by striking <2023> and inserting <2024>
- 9 8. Page 2, line 12, by striking <thirty> and inserting <up
- 10 to sixty>
- 11 9. Page 2, line 15, by striking <thirty> and inserting
- 12 <sixty>
- 13 10. Page 2, line 23, by striking <thirty-day> and inserting
- 14 <sixty-day>
- 15 11. Page 2, line 27, by striking <2023> and inserting <2024>
- 16 12. Page 3, line 2, by striking <2023> and inserting <2024>
- 17 13. Page 3, line 7, by striking <2023> and inserting <2024>
- 18 14. Page 3, line 32, by striking <2023> and inserting <2024>
- 19 15. Page 4, line 1, by striking <2023> and inserting <2024>
- 20 16. Page 4, line 6, by striking <2023> and inserting <2024>
- 21 17. Page 4, after line 7 by inserting:
- 22 <Sec. _____. Section 633.556, Code 2024, is amended by adding
- 23 the following new subsection:
- 24 NEW SUBSECTION. 10. The person listed in the petition for
- 25 guardianship or conservatorship pursuant to subsections 4, 5,
- 26 and 6 shall be given notice of the filing of the petition for
- 27 guardianship or conservatorship pursuant to section 633.558. A
- 28 person entitled to notice under this subsection does not gain
- 29 standing in a guardianship or conservatorship proceeding as a
- 30 result of being entitled to notice unless so ordered by the
- 31 court.>
- 32 18. Page 4, line 8, by striking <2023> and inserting <2024>
- 33 19. Page 4, line 14, by striking <2023> and inserting <2024>
- 34 20. Page 4, after line 18 by inserting:
- 35 <Sec. _____. Section 633.561, subsection 1, paragraph b, Code

1 2024, is amended to read as follows:

2 *b.* If the respondent is the petitioner or an adult under
3 a standby petition, the court shall determine whether, under
4 the circumstances of the case, the respondent is entitled to
5 representation. The determination regarding representation
6 may be made with or without notice to the respondent, as
7 the court deems necessary. If the court determines that the
8 respondent is entitled to representation, the court shall
9 appoint an attorney to represent the respondent. After making
10 the determination regarding representation, the court shall
11 set a hearing on the petition, and provide for notice on
12 the determination regarding representation and the date for
13 hearing.>

14 21. Page 4, line 19, by striking <2023> and inserting <2024>

15 22. Page 4, after line 30 by inserting:

16 <Sec. _____. Section 633.563, subsection 1, Code 2024, is
17 amended to read as follows:

18 1. At or before a hearing on a petition for the appointment
19 of a guardian or conservator or the modification or termination
20 of a guardianship or conservatorship, the court shall order a
21 professional evaluation of the respondent unless one of the
22 following criteria is met:

23 *a.* The court finds it has sufficient information to
24 determine whether the criteria for a guardianship or
25 conservatorship of an adult pursuant to section 633.552 or
26 633.553 are met.

27 *b.* The petitioner for a guardianship or conservatorship
28 for an adult or an adult respondent has filed a professional
29 evaluation.

30 *c.* The court finds that it has sufficient information to
31 determine whether the criteria for a conservatorship of a minor
32 pursuant to section 633.554 are met.

33 *d.* The petitioner for a conservatorship for a minor or a
34 minor respondent has filed a professional evaluation.>

35 23. Page 4, line 31, by striking <2023> and inserting <2024>

- 1 24. Page 5, line 7, by striking <2023> and inserting <2024>
- 2 25. Page 6, line 4, by striking <2023> and inserting <2024>
- 3 26. Page 6, line 7, by striking <thirty> and inserting <up
4 to sixty>
- 5 27. Page 6, line 10, by striking <thirty> and inserting
6 <sixty>
- 7 28. Page 6, line 20, by striking <thirty-day> and inserting
8 <sixty-day>
- 9 29. Page 6, line 24, by striking <2023> and inserting <2024>
- 10 30. Page 7, line 5, by striking <2023> and inserting <2024>
- 11 31. Page 7, line 12, by striking <2023> and inserting <2024>
- 12 32. Page 7, line 23, by striking <2023> and inserting <2024>
- 13 33. Page 7, line 27, by striking <2023> and inserting <2024>
- 14 34. Page 7, line 33, by striking <2023> and inserting <2024>
- 15 35. Page 8, line 9, after <court> by inserting <or as may be
16 specifically expanded by the court for good cause shown.>
- 17 36. Page 8, by striking lines 14 through 22 and inserting:
18 <4. Upon the filing of an appropriate oath by the
19 conservator, the clerk of court shall issue letters of
20 appointment. Upon issuance by the court of an order approving
21 an initial financial management plan, approving an annual
22 report, or further order of the court granting, modifying,
23 limiting, or terminating powers of the conservator, the clerk
24 of court shall issue new letters of appointment and shall
25 attach to the new letters of appointment such order of the
26 court containing the conservator's powers.>
- 27 37. Page 8, line 23, by striking <2023> and inserting <2024>
- 28 38. Page 10, line 10, by striking <significant> and
29 inserting <significant>
- 30 39. Page 10, line 10, after <persons> by inserting
31 <significant in the life of the protected person>
- 32 40. Page 10, line 28, by striking <2023> and inserting
33 <2024>
- 34 41. Page 11, line 5, by striking <2023> and inserting <2024>
- 35 42. Page 11, line 8, by striking <A conservator> and

1 inserting <Except as otherwise ordered by the court under
2 subsection 7, a conservator>

3 43. Page 15, before line 28 by inserting:

4 <7. The court may terminate a conservatorship upon written
5 request by the conservator if all the following are true:

6 a. The sole or nearly sole source of income of the
7 respondent is social security benefits with a representative
8 payee assigned.

9 b. The court finds there are no other assets that require
10 oversight or protection.>

11 44. Page 15, line 28, by striking <2023> and inserting
12 <2024>

13 45. Page 16, line 4, by striking <2023> and inserting <2024>

14 46. Page 16, by striking lines 10 through 19 and inserting:
15 <Sec. ____ . Section 217.40, Code 2024, is amended to read as
16 follows:

17 **217.40 Training for guardians and conservators.**

18 The department, or a person designated by the director,
19 shall establish training programs designed to assist all duly
20 appointed guardians and conservators in understanding their
21 fiduciary duties and liabilities, the special needs of the ~~ward~~
22 protected person, and how to best serve the ~~ward~~ protected
23 person and the ~~ward's~~ protected person's interests.>

24 47. Page 16, line 21, by striking <2023> and inserting
25 <2024>

26 48. Page 16, line 31, by striking <2023> and inserting
27 <2024>

28 49. Page 17, line 1, by striking <2023> and inserting <2024>

29 50. Page 17, line 16, by striking <2023> and inserting
30 <2024>

31 51. Page 18, line 7, by striking <2023> and inserting <2024>

32 52. Page 18, line 12, by striking <2023> and inserting
33 <2024>

34 53. Page 18, line 24, by striking <2023> and inserting
35 <2024>

- 1 54. Page 18, line 33, by striking <2023> and inserting
2 <2024>
- 3 55. Page 19, line 2, by striking <2023> and inserting <2024>
- 4 56. Page 19, line 22, by striking <2023> and inserting
5 <2024>
- 6 57. By striking page 19, line 31, through page 20, line 8,
7 and inserting:
8 <Sec. _____. Section 252C.2, subsection 3, Code 2024, is
9 amended to read as follows:
10 3. The provision of child support collection or paternity
11 determination services under [chapter 252B](#) to an individual,
12 even though the individual is ineligible for public assistance,
13 creates a support debt due and owing to the individual or the
14 individual's child or ~~ward~~ protected person by the responsible
15 person in the amount of a support obligation established by
16 court order or by the department. The department may establish
17 a support debt in favor of the individual or the individual's
18 child or ~~ward~~ protected person and against the responsible
19 person, both as to amounts accrued and accruing, pursuant to
20 section 598.21B.>
- 21 58. Page 20, line 9, by striking <2023> and inserting <2024>
- 22 59. Page 20, line 17, by striking <2023> and inserting
23 <2024>
- 24 60. Page 20, line 25, by striking <2023> and inserting
25 <2024>
- 26 61. Page 20, line 31, by striking <2023> and inserting
27 <2024>
- 28 62. Page 21, line 7, by striking <2023> and inserting <2024>
- 29 63. Page 21, line 20, by striking <2023> and inserting
30 <2024>
- 31 64. Page 21, line 26, by striking <2023> and inserting
32 <2024>
- 33 65. Page 21, line 32, by striking <2023> and inserting
34 <2024>
- 35 66. Page 22, by striking lines 13 through 30.

1 67. Page 22, line 31, by striking <2023> and inserting
2 <2024>
3 68. Page 23, line 4, by striking <2023> and inserting <2024>
4 69. Page 23, line 12, by striking <2023> and inserting
5 <2024>
6 70. Page 23, line 26, by striking <2023> and inserting
7 <2024>
8 71. Page 23, line 29, by striking <2023> and inserting
9 <2024>
10 72. Page 24, line 7, by striking <2023> and inserting <2024>
11 73. Page 24, line 20, by striking <2023> and inserting
12 <2024>
13 74. Page 24, line 32, by striking <2023> and inserting
14 <2024>
15 75. Page 25, line 10, by striking <2023> and inserting
16 <2024>
17 76. Page 25, line 18, by striking <2023> and inserting
18 <2024>
19 77. Page 25, line 25, by striking <2023> and inserting
20 <2024>
21 78. Page 26, line 1, by striking <2023> and inserting <2024>
22 79. Page 26, line 7, by striking <2023> and inserting <2024>
23 80. Page 26, line 13, by striking <2023> and inserting
24 <2024>
25 81. Page 26, line 34, by striking <2023> and inserting
26 <2024>
27 82. Page 27, line 13, by striking <2023> and inserting
28 <2024>
29 83. Page 27, line 21, by striking <2023> and inserting
30 <2024>
31 84. Page 27, line 33, by striking <2023> and inserting
32 <2024>
33 85. Page 28, line 8, by striking <2023> and inserting <2024>
34 86. Page 28, line 14, by striking <2023> and inserting
35 <2024>

- 1 87. Page 28, line 25, by striking <2023> and inserting
2 <2024>
- 3 88. Page 28, line 33, by striking <2023> and inserting
4 <2024>
- 5 89. Page 29, line 8, by striking <2023> and inserting <2024>
- 6 90. Page 29, line 28, by striking <2023> and inserting
7 <2024>
- 8 91. Page 29, line 35, by striking <2023> and inserting
9 <2024>
- 10 92. Page 30, line 9, by striking <2023> and inserting <2024>
- 11 93. Page 30, line 23, by striking <2023> and inserting
12 <2024>
- 13 94. Page 30, line 30, by striking <2023> and inserting
14 <2024>
- 15 95. Page 31, line 2, by striking <2023> and inserting <2024>
- 16 96. Page 31, line 22, by striking <2023> and inserting
17 <2024>
- 18 97. Page 31, line 33, by striking <2023> and inserting
19 <2024>
- 20 98. Page 32, line 13, by striking <2023> and inserting
21 <2024>
- 22 99. Page 32, line 19, by striking <2023> and inserting
23 <2024>
- 24 100. Page 32, line 31, by striking <2023> and inserting
25 <2024>
- 26 101. Page 33, line 3, by striking <2023> and inserting
27 <2024>
- 28 102. Page 33, line 15, by striking <2023> and inserting
29 <2024>
- 30 103. Page 33, line 23, by striking <2023> and inserting
31 <2024>
- 32 104. Page 34, line 6, by striking <2023> and inserting
33 <2024>
- 34 105. Page 34, line 23, by striking <2023> and inserting
35 <2024>

- 1 106. Page 34, line 26, by striking <2023> and inserting
2 <2024>
- 3 107. Page 35, line 23, by striking <2023> and inserting
4 <2024>
- 5 108. Page 36, line 10, by striking <2023> and inserting
6 <2024>
- 7 109. Page 36, line 17, by striking <2023> and inserting
8 <2024>
- 9 110. Page 36, line 21, by striking <2023> and inserting
10 <2024>
- 11 111. By renumbering as necessary.

COMMITTEE ON JUDICIARY
HOLT of Crawford, Chairperson