

2/18/98 Do Pass
S. 3/18/98 Amend/Do Pass
W. 8-5276

FEB 9 1998
COMMERCE AND REGULATION

HOUSE FILE 2169
BY RANTS

Passed House, ^(P. 369) Date 2/26/98 Passed Senate, Date 3/23/98 ^(P. 830)
Vote: Ayes 96 Nays 0 Vote: Ayes 47 Nays 0
Approved April 17, 1998

Passed 4-3-98
Vote 95-0 (P. 1236)

A BILL FOR

1 An Act raising the limit on the amount of assets subject to a
2 conservatorship in cases where a private nonprofit corporation
3 serves as conservator.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2169

1 Section 1. Section 633.63, subsection 3, Code 1997, is
2 amended to read as follows:

3 3. A private nonprofit corporation organized under chapter
4 504 or 504A is qualified to act as a guardian, as defined in
5 section 633.3, subsection 19, or a conservator, as defined in
6 section 633.3, subsection 7, where the assets subject to the
7 conservatorship at the time when such corporation is appointed
8 conservator are less than fifteen or equal to seventy-five
9 thousand dollars and the corporation does not possess a
10 proprietary or legal interest in an organization which
11 provides direct services to the individual.

12 EXPLANATION

13 This bill increases the maximum asset eligibility level for
14 a private, nonprofit corporation to serve as a conservator
15 from \$15,000 to \$75,000 of assets subject to the
16 conservatorship.

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S-5276

1 Amend House File 2169, as passed by the House, as
2 follows:

3 1. Page 1, by inserting after line 11 the
4 following:

5 "Sec. ____ . Section 633.681, Code 1997, is amended
6 to read as follows:

7 633.681 ASSETS OF MINOR WARD EXHAUSTED.

8 When the assets of a minor ward's conservatorship
9 are exhausted or consist of personal property only of
10 an aggregate value not in excess of four ten thousand
11 dollars, the court, upon application or upon its own
12 motion, may terminate the conservatorship and. The
13 order for termination shall direct the conservator to
14 deliver the any property remaining after the payment
15 of allowed claims and expenses of administration to
16 the parent or other person entitled to the custody of
17 the minor ward, for the use of the ward, after payment
18 of allowed claims and expenses of administration a
19 custodian under any uniform transfers to minors Act.
20 Such delivery shall have the same force and effect as
21 if delivery had been made to the ward after attaining
22 majority."

23 2. Title page, line 3, by inserting after the
24 word "conservator" the following: "and providing for
25 an increase in the amount of assets in a minor ward's
26 conservatorship eligible for an order for termination
27 of the conservatorship and for delivery of the
28 conservatorship assets to certain custodians".

29 3. By renumbering as necessary.

By COMMITTEE ON COMMERCE
JOHN W. JENSEN, Chairperson

S-5276 FILED MARCH 18, 1998

Adopted 3/23/98 (p. 830)

SENATE AMENDMENT TO HOUSE FILE 2169

H-8601

1 Amend House File 2169, as passed by the House, as
2 follows:

3 1. Page 1, by inserting after line 11 the
4 following:

5 "Sec. ____ . Section 633.681, Code 1997, is amended
6 to read as follows:

7 633.681 ASSETS OF MINOR WARD EXHAUSTED.

8 When the assets of a minor ward's conservatorship
9 are exhausted or consist of personal property only of
10 an aggregate value not in excess of four ten thousand
11 dollars, the court, upon application or upon its own
12 motion, may terminate the conservatorship and. The
13 order for termination shall direct the conservator to
14 deliver the any property remaining after the payment
15 of allowed claims and expenses of administration to
16 the-parent-or-other-person-entitled-to-the-custody-of
17 the-minor-ward,-for-the-use-of-the-ward,-after-payment
18 of-allowed-claims-and-expenses-of-administration a
19 custodian under any uniform transfers to minors Act.
20 Such delivery shall have the same force and effect as
21 if delivery had been made to the ward after attaining
22 majority."

23 2. Title page, line 3, by inserting after the
24 word "conservator" the following: "and providing for
25 an increase in the amount of assets in a minor ward's
26 conservatorship eligible for an order for termination
27 of the conservatorship and for delivery of the
28 conservatorship assets to certain custodians".

29 3. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-8601 FILED MARCH 24, 1998

House Concurred
4-3-98
(p. 1236)

HOUSE FILE 2169

AN ACT

RAISING THE LIMIT ON THE AMOUNT OF ASSETS SUBJECT TO A CONSERVATORSHIP IN CASES WHERE A PRIVATE NONPROFIT CORPORATION SERVES AS CONSERVATOR AND PROVIDING FOR AN INCREASE IN THE AMOUNT OF ASSETS IN A MINOR WARD'S CONSERVATORSHIP ELIGIBLE FOR AN ORDER FOR TERMINATION OF THE CONSERVATORSHIP AND FOR DELIVERY OF THE CONSERVATORSHIP ASSETS TO CERTAIN CUSTODIANS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 633.63, subsection 3, Code 1997, is amended to read as follows:

3. A private nonprofit corporation organized under chapter 504 or 504A is qualified to act as a guardian, as defined in section 633.3, subsection 19, or a conservator, as defined in section 633.3, subsection 7, where the assets subject to the conservatorship at the time when such corporation is appointed conservator are less than fifteen or equal to seventy-five thousand dollars and the corporation does not possess a proprietary or legal interest in an organization which provides direct services to the individual.

Sec. 2. Section 633.681, Code 1997, is amended to read as follows:

633.681 ASSETS OF MINOR WARD EXHAUSTED.

When the assets of a minor ward's conservatorship are exhausted or consist of personal property only of an aggregate value not in excess of four ten thousand dollars, the court, upon application or upon its own motion, may terminate the conservatorship and. The order for termination shall direct the conservator to deliver the any property remaining after the payment of allowed claims and expenses of administration

~~to the parent or other person entitled to the custody of the minor ward for the use of the ward after payment of allowed claims and expenses of administration a custodian under any uniform transfers to minors Act.~~ Such delivery shall have the same force and effect as if delivery had been made to the ward after attaining majority.

RON J. CORBETT
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2169, Seventy-seventh General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved *April 17*, 1998

TERRY E. BRANSTAD
Governor