

State of Arizona
House of Representatives
Fiftieth Legislature
First Regular Session
2011

HOUSE BILL 2424

AN ACT

AMENDING TITLE 14, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 14-1104; PROVIDING FOR DELAYED REPEAL OF SECTION 14-1101, ARIZONA REVISED STATUTES, AS ADDED BY THIS ACT; RELATING TO PROBATE PROCEEDINGS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 14, chapter 1, article 1, Arizona Revised Statutes,
3 is amended by adding section 14-1104, to read:

4 14-1104. Probate advisory panel; report

5 A. THE PROBATE ADVISORY PANEL IS ESTABLISHED CONSISTING OF THE
6 FOLLOWING MEMBERS APPOINTED TO STAGGERED THREE YEAR TERMS:

7 1. TWO PUBLIC MEMBERS WHO ARE GUARDIANS OF AN ADULT CHILD OR A SIBLING
8 WHO IS A WARD. THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF
9 REPRESENTATIVES SHALL EACH APPOINT ONE MEMBER.

10 2. TWO PUBLIC MEMBERS WHO ARE CONSERVATORS OF A PARENT WHO IS A
11 PROTECTED PERSON. THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE
12 OF REPRESENTATIVES SHALL EACH APPOINT ONE MEMBER.

13 3. ONE PUBLIC FIDUCIARY WHO IS LICENSED PURSUANT TO SECTION 14-5651
14 AND WHO IS FROM A COUNTY WITH A POPULATION OF LESS THAN FIVE HUNDRED THOUSAND
15 PERSONS. THE GOVERNOR SHALL APPOINT THIS MEMBER.

16 4. ONE FIDUCIARY, OTHER THAN A PUBLIC FIDUCIARY, WHO IS LICENSED
17 PURSUANT TO SECTION 14-5651 AND WHO IS FROM A COUNTY WITH A POPULATION OF
18 MORE THAN FIVE HUNDRED THOUSAND PERSONS. THE GOVERNOR SHALL APPOINT THIS
19 MEMBER.

20 5. ONE ATTORNEY WHO HAS A MINIMUM OF FOUR YEARS EXPERIENCE IN
21 GUARDIANSHIP AND CONSERVATORSHIP PROCEEDINGS. THE GOVERNOR SHALL APPOINT
22 THIS MEMBER.

23 6. ONE JUDICIAL OFFICER WHO HAS A MINIMUM OF TWO YEARS EXPERIENCE
24 PRESIDING OVER GUARDIANSHIP AND CONSERVATORSHIP PROCEEDINGS AND WHO IS FROM A
25 COUNTY WITH A POPULATION OF MORE THAN FIVE HUNDRED THOUSAND PERSONS. THE
26 CHIEF JUSTICE OF THE SUPREME COURT SHALL APPOINT THIS MEMBER.

27 7. ONE CLERK OF THE SUPERIOR COURT. THE CHIEF JUSTICE OF THE SUPREME
28 COURT SHALL APPOINT THIS MEMBER.

29 B. THE PANEL SHALL:

30 1. SELECT A CHAIRPERSON AT ITS FIRST ANNUAL MEETING.

31 2. HOLD A PUBLIC HEARING AT LEAST ONCE EACH YEAR, OR AT THE CALL OF
32 THE CHAIRPERSON, ON HOW TO IMPROVE THE GUARDIANSHIP AND CONSERVATORSHIP LAWS
33 THROUGH STATUTORY CHANGES.

34 3. SUBMIT A REPORT OF ITS FINDINGS AND RECOMMENDATIONS TO THE
35 GOVERNOR, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE
36 SENATE AND THE CHIEF JUSTICE OF THE SUPREME COURT ON OR BEFORE NOVEMBER 15 OF
37 EACH YEAR. THE PANEL SHALL PROVIDE A COPY OF EACH REPORT TO THE SECRETARY OF
38 STATE.

39 C. PANEL MEMBERS ARE NOT ELIGIBLE FOR COMPENSATION OR REIMBURSEMENT OF
40 EXPENSES.

41 D. THE LEGISLATURE SHALL PROVIDE STAFF SUPPORT FOR THE PANEL.

42 Sec. 2. Initial terms of members

43 A. Notwithstanding section 14-1104, Arizona Revised Statutes, as added
44 by this act, the initial terms of members of the probate advisory panel are:

45 1. Three terms ending January 1, 2013.

1 2. Three terms ending January 1, 2014.

2 3. Three terms ending January 1, 2015.

3 B. The governor, speaker of the house of representatives and president
4 of the senate shall make all subsequent appointments as prescribed by
5 statute.

6 Sec. 3. Delayed repeal

7 Section 14-1101, Arizona Revised Statutes, as added by this act, is
8 repealed from and after June 30, 2016.