



SPONSOR: Sen. Poore & Rep. Bentz & Rep. Dorsey Walker
Sens. Hansen, Pettyjohn; Reps. Baumbach, Heffernan,
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DELAWARE STATE SENATE
151st GENERAL ASSEMBLY

SENATE BILL NO. 85

AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO THE PUBLIC GUARDIAN.

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

1 Section 1. Amend Chapter 39, Title 12 of the Delaware Code, by adding a new section, by making deletions as
2 shown by strike through and insertions as shown by underline as follows:

3 “§ 3986 Collection of Guardianship Fees

4 (a) The Public Guardian may collect fees for the provision of its services from the income or resources of
5 any person for which it has been appointed guardian of the person or property or for whom it acts as
6 representative payee.

7 (b) A person receiving services from the Office of the Public Guardian whose financial resources are
8 deemed sufficient, pursuant to standards to be established by the Guardianship Commission and to be
9 approved by the Court, shall be required to pay compensation for services related to guardianship or
10 representative payee duties in accordance with such established standards. The Court may, in its
11 discretion, alter or amend any financial obligation imposed under this section.

12 (c) Fees collected shall not go into the General Fund but shall be held in a special fund to be expended by
13 the Office of the Public Guardian in furtherance of its purpose and to support the Guardianship
14 Commission.”

15 Section 2. This Act takes effect 8 months following its enactment into law.

SYNOPSIS

This bill allows the Public Guardian to collect fees for services in accordance with standards to be established by the Guardianship Commission and approved by the Court of Chancery.

Author: Senator Poore