



151st GENERAL ASSEMBLY
FEE IMPACT

BILL: SENATE BILL NO. 85
SPONSOR: Senator Poore
DESCRIPTION: AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO THE PUBLIC GUARDIAN.

In accordance with 29 Del. C. §913, the following information is provided relating to licenses and fees.

Description of the Legislation:

This Act would allow the Public Guardian to collect fees for services related to guardianships of property or representative payee duties following standards to be established by the Delaware Guardianship Commission, with subsequent approval from the Court of Chancery.

Affected Entities:

Office of the Public Guardian (OPG), Delaware Guardianship Commission, Court of Chancery

Fiscal Impact:

The Social Security Administration (SSA) allows for collecting a fee for representative payee services, currently up to a maximum of \$43 per month. The OPG has a current and pending caseload of 111 eligible clients. If the OPG can assess the SSA payee services fee and presuming that approximately only 75% of the eligible clients have the means for payment, it is anticipated that the OPG could generate an estimated \$42,957 annually. The number of additional clients that the OPG may be referred to or appointed by the Court in future fiscal years is indeterminable.

Fiscal Year 2022: \$42,957
Fiscal Year 2023: \$42,957
Fiscal Year 2024: \$42,957

Intended Use of Revenue:

Revenues generated must be placed into a special fund, only expendable by the OPG, and would not be collected or revert to the General Fund. It is anticipated that the OPG would use the funding for contractual assistance to provide services for more OPG clients in need.