

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act providing protections against predatory guardianship.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>1/14/2025</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>1/15/2025</i>

HOUSE No.

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1591 OF 2023-2024.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act providing protections against predatory guardianship.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 304 of chapter 190B of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by striking out subdivision (7) and adding in place thereof
3 the following subdivisions:-

4 (7) the person’s legal counsel, if counsel is retained by the person.

5 (8) any other person as directed by the court.

6 SECTION 2. Section 304 of chapter 190B of the General Laws, as so appearing, is
7 hereby further amended by adding the following subsection:

8 (e) The notice shall inform the person alleged to be incapacitated or person to be
9 protected of their legal rights, including the right to legal representation and the right to be
10 present at any and all hearings in person.

11 SECTION 3. Section 305 of chapter 190B of the General Laws, as appearing in the 2022
12 Official Edition, is hereby amended by striking out subdivision (3) of subsection (c) and
13 inserting in place the following subdivision:-

14 (3) any other person the court deems appropriate who is certified as a national certified
15 guardian by the center for guardianship commission within 6 months after his or her
16 appointment.

17 SECTION 4. Section 309 of chapter 190B of the General Laws, as appearing in the 2022
18 Official Edition, is hereby amended by inserting after the word “decision-making” in line 36 the
19 following words:

20 “, as well as related expenses charged by the guardian to the incapacitated person’s
21 estate;”