

**JOINT COMMITTEE ON THE JUDICIARY
BILL SUMMARY**

BILL NO. H1772

TITLE: An act providing protections against predatory guardianship.

SPONSOR: Rep. Bradley H. Jones, Jr.

COSPONSOR: Rep. Hannah Kane Rep. Kimberly N. Ferguson
Rep. Todd Smola Rep. Alyson Sullivan-Almeida
Rep. Paul K. Frost

HEARING DATE: April 22, 2025

PRIOR HISTORY: H1591 (2023-2024)

SENATE BILL: None

CURRENT LAW: Section- 5-304 of Chapter 190B of the General Laws dictates which parties must be given notice in a proceeding for the appointment of a guardian or conservator or for the protective order of an incapacitated person.

Section 5-305 enumerates who may be appointed guardian and allows the court to appoint any person it deems appropriate.

Section 5-309 establishes the powers, duties, rights and immunities of guardians. There is no requirement to disclose the charges to the incapacitated person’s estate within the summary of care requirement.

BILL SUMMARY: Sections 1 and 2 - amend Section 5-304 to require notice be given to the legal counsel of a person subject to a proceeding for the appointment of a guardian, conservator or for a protective order. Additionally, such notice must inform the person of all their legal rights.

Section 3 - amends subdivision (3) of subsection (c) of section 5-305 by providing that only persons certified as a National Certified Gurdian by the Center for Guardianship Commission will be deemed appropriate for the purposes of serving as a guardian of an incapacitated person in addition to anyone otherwise qualified.

Section 4 - adds a requirement to section 309 to disclose charges to the incapacitated person's estate by the guardian.