

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3792-03  
Bill No.: Perfected SS for SB 596  
Subject: Children and Minors; Civil Procedure; Department of Social Services; Estates,  
Wills, and Trusts  
Type: Original  
Date: April 4, 2006

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2007</b>	<b>FY 2008</b>	<b>FY 2009</b>
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2007</b>	<b>FY 2008</b>	<b>FY 2009</b>
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 4 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2007</b>	<b>FY 2008</b>	<b>FY 2009</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2007</b>	<b>FY 2008</b>	<b>FY 2009</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**FISCAL ANALYSIS**

**ASSUMPTION**

Officials from the **Department of Mental Health, Department of Health and Senior Services,** and the **Department of Social Services** assume the proposal would have no fiscal impact on their agencies.

Officials from the **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on the courts.

<b><u>FISCAL IMPACT - State Government</u></b>	<b>FY 2007</b> (10 Mo.)	<b>FY 2008</b>	<b>FY 2009</b>
	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

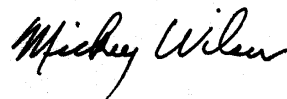
DESCRIPTION

The proposed legislation authorizes a court to appoint a standby guardian to temporarily assume the duties of guardian over a minor child. The appointment of a standby guardian becomes effective upon the disability, incapacitation, or death of an appointing parent or legal guardian. In order to become effective, the standby guardian must file an acceptance of appointment within 30 days of the court's confirmation. Before the court confirms the appointee, the other parent or another person who has care and custody of the minor may file a written objection to the appointment of the standby guardian. In the event a parent or guardian should die, the standby guardian may petition the court within 60 days to make a formal guardianship request. An appointing parent or another interested party is allowed to petition the court to confirm the parent's selection of a standby guardian and terminate the right of other individuals to object to the appointment of that individual as guardian. The court would be prohibited from acting without the consent of each parent.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of State Courts Administrator  
Department of Mental Health  
Department of Health and Senior Services  
Department of Social Services



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April 4, 2006

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