



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2025 Biennium

**Bill information:**

SB0559 - Revise adult guardianship laws (Trebas, Jeremy )

**Status:** As Introduced

- Significant Local Gov Impact     
 Needs to be included in HB 2     
 Technical Concerns  
 Included in the Executive Budget     
 Significant Long-Term Impacts     
 Dedicated Revenue Form Attached

### FISCAL SUMMARY

	<u>FY 2024</u> <u>Difference</u>	<u>FY 2025</u> <u>Difference</u>	<u>FY 2026</u> <u>Difference</u>	<u>FY 2027</u> <u>Difference</u>
<b>Expenditures:</b>				
General Fund	\$0	\$0	\$0	\$0
<b>Revenue:</b>				
General Fund	\$0	\$0	\$0	\$0
<b>Net Impact-General Fund Balance:</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

**Description of fiscal impact:** SB 559 revises adult guardianship laws providing for an additional filing fee for a person petitioning for guardianship of an adult and requires background checks for of persons nominated as a guardian.

### FISCAL ANALYSIS

**Assumptions:**

- Adult Protective Services petitions for approximately six guardianships per year.
- SB 559 requires, on the filing of a petition for appointment of a guardian of an adult, from the petitioner, \$70 plus an additional \$15 fee for each person nominated as guardian to be paid to the Clerk of District Court. Based on an average of six guardianship petitions per year, this would result in a total cost of \$510 per year (6 x \$85 = \$510).
- SB 559 Section 2 (3) (a) states the court shall request a name based criminal background check for any person nominated to serve as a guardian. Section 2 (3) (d) states the person who files a petition for appointment of a guardian is responsible for paying any fees for the background check. The bill does not address a cost for the

background check, the Department assumes a cost of \$30 per background check. Based on an average of six guardships per year, this would result in an additional cost of \$180 per year (6 x \$30 = \$180).

- 4. These costs would be paid for with 94% general fund and 6% federal funds.
- 5. The overall fiscal impact is de-minimis and will be absorbed by the department.

**Technical Notes:**

- 1. Section 2(3) (a) states that the court shall request name based criminal background checks and checks of the child protective services, adult protective services, and sexual offender registries in this state for any person nominated to serve as a guardian. There is currently no adult protective services registry in the state.

**NO SPONSOR SIGNATURE**

	<b>3/30/23</b>		<b>3-29-23</b>
<i>Sponsor's Initials</i>	<i>Date</i>	<i>Budget Director's Initials</i>	<i>Date</i>