

**ADOPTED**

Senator Unterman of the 45th offered the following amendment:

1 *Amend the Senate Health and Human Services Committee substitute to HB 247 (LC 35*  
 2 *2686S) by inserting after "felony;" on line 3 "to amend Title 29 of the Official Code of*  
 3 *Georgia Annotated, relating to guardian and ward, so as to provide for matters relevant to*  
 4 *guardians generally; to provide for an exemption from liability for persons who comply with*  
 5 *a Physician Order for Life-sustaining Treatment; to provide for criminal background checks*  
 6 *for persons seeking to become a guardian or conservator; to provide for a definition;" and*  
 7 *by redesignating Sections 2 and 3 as Sections 4 and 5, respectively, and by inserting after*  
 8 *line 53 the following:*

**SECTION 2.**

10 Title 29 of the Official Code of Georgia Annotated, relating to guardian and ward, is  
 11 amended by revising subsection (k) of Code Section 29-4-18, relating to definitions,  
 12 requirements, and termination of temporary medical consent guardianship, by adding a new  
 13 paragraph to read as follows:

14 "(3) Any person who acts in good faith in accordance with a Physician Order for  
 15 Life-sustaining Treatment developed pursuant to subsection (l) of this Code section shall  
 16 have all of the immunity granted pursuant to Code Section 31-32-10."

**SECTION 3.**

18 Said title is further amended by adding a new Code section to read as follows:

19 "29-9-19.

20 (a) As used in this Code section, the term 'criminal history record information' means  
 21 information collected by criminal justice agencies on individuals consisting of identifiable  
 22 descriptions and notations of arrests, detentions, indictments, accusations, information, or  
 23 other formal charges, and any disposition arising therefrom, sentencing, correctional  
 24 supervision, and release.

25 (b) The court may require a petitioner seeking to become a guardian or conservator, or a  
 26 nominated guardian or conservator if such person is different from the petitioner, to submit  
 27 to a criminal history records check. The petitioner or nominee shall submit his or her  
 28 fingerprints to the Georgia Crime Information Center with the appropriate fee. The  
 29 Georgia Crime Information Center shall promptly transmit the fingerprints to the Federal  
 30 Bureau of Investigation for a search of its records and shall obtain a report containing  
 31 criminal history record information. The Georgia Crime Information Center shall also  
 32 promptly conduct a search of its records and any records to which it has access. The

33 Georgia Crime Information Center shall provide a report of the petitioner's or nominee's  
34 criminal history record information to the court for its consideration in determining the  
35 suitability of the petitioner or nominee to serve as a guardian or conservator."