

House Bill 668

By: Representatives Price of the 48th, Willard of the 51st, Ballinger of the 23rd, Coomer of the 14th, and Kelley of the 16th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 4 of Title 29 of the Official Code of Georgia Annotated,
2 relating to procedure for appointment, so as to provide for petitions for appointment of a
3 guardian and orders of appointment for adult guardianship under certain circumstances where
4 the proposed ward is at least 17 years of age but has not attained 18 years of age; to provide
5 for a short title; to provide for related matters; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known and may be cited as "Darby's Law."

10 **SECTION 2.**

11 Article 2 of Chapter 4 of Title 29 of the Official Code of Georgia Annotated, relating to
12 procedure for appointment, is amended by revising subsection (a) of Code Section 29-4-10,
13 relating to petition for appointment of guardian and requirements for petition, as follows:

14 "(a) Any interested person or persons, including the proposed ward, may file a petition for
15 the appointment of a guardian. The petition shall be filed in the court of the county in
16 which the proposed ward is domiciled or is found, ~~provided that the court of the county~~
17 ~~where the proposed ward is found shall not have jurisdiction to hear any guardianship~~
18 ~~petition if~~ unless it appears that the proposed ward was removed to that county solely for
19 the purposes of filing a petition for the appointment of a guardian. A petition may be filed
20 regarding a proposed ward who is 17 years of age or older if the petitioner has a good faith
21 reason to believe that such proposed ward, upon attaining 18 years of age, will satisfy the
22 prerequisite findings provided for in subsection (a) of Code Section 29-4-1. If a petition
23 is filed for a proposed ward who is not yet 18 years of age, any orders appointing a
24 guardian shall take effect when the proposed ward attains 18 years of age."

25

SECTION 3.

26 All laws and parts of laws in conflict with this Act are repealed.