

Senate Engrossed

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
Senate
Fifty-first Legislature
First Regular Session
2013

CHAPTER 36

SENATE BILL 1237

AN ACT

AMENDING SECTION 14-12301, ARIZONA REVISED STATUTES; RELATING TO TRANSFER OF
GUARDIANSHIP OR CONSERVATORSHIP.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 14-12301, Arizona Revised Statutes, is amended to
3 read:

4 14-12301. Transfer of guardianship or conservatorship to
5 another state

6 A. Any interested person may petition the court to transfer the
7 guardianship or conservatorship to another state.

8 B. On the filing of a petition pursuant to subsection A of this
9 section, the court in this state shall set a hearing on the petition and the
10 petitioner shall give notice of the hearing to the persons who pursuant to
11 chapter 5 of this title would be entitled to notice of the hearing on a
12 petition for the appointment of a guardian or conservator.

13 C. On the court's own motion or on the filing of an objection to a
14 petition filed pursuant to subsection B of this section, the hearing on a
15 petition filed pursuant to subsection A of this section shall be set as an
16 appearance hearing, otherwise the hearing shall be set as a nonappearance
17 hearing.

18 D. After the hearing held pursuant to subsection C of this section,
19 the court in this state shall enter an order authorizing the guardian or
20 another appropriate person to petition for guardianship in the other state if
21 the court in this state finds all of the following:

22 1. The incapacitated person is physically present in or is reasonably
23 expected to move permanently to the other state.

24 2. An objection to the transfer has not been made or, if an objection
25 has been made, the objector has not established that the transfer would be
26 contrary to the interests of the incapacitated person.

27 3. Plans for care and services for the incapacitated person in the
28 other state are reasonable and sufficient.

29 E. After the hearing held pursuant to subsection C of this section,
30 the court in this state shall enter an order authorizing the conservator or
31 another appropriate person to petition for conservatorship in the other state
32 if the court finds all of the following:

33 1. The protected person is physically present in or is reasonably
34 expected to move permanently to the other state, or the protected person has
35 a significant connection to the other state considering the factors
36 prescribed in section 14-12201, subsection B.

37 2. An objection to the transfer has not been made or, if an objection
38 has been made, the objector has not established that the transfer would be
39 contrary to the interests of the protected person.

40 3. Adequate arrangements will be made for management of the protected
41 person's property.

42 ~~F. After notice and a hearing,~~ The court in this state shall enter an
43 order confirming the transfer and terminating the guardianship or
44 conservatorship on its receipt of both of the following:

1 1. A certified copy of the ~~letters of office or other authority~~
2 ~~indicating appointment of a guardian or conservator, or both, issued by the~~
3 ~~appropriate authority in the state~~ PROVISIONAL ORDER ACCEPTING THE PROCEEDING
4 FROM THE COURT to which the proceeding is to be transferred UNDER PROVISIONS
5 THAT ARE SIMILAR TO SECTION 14-12302.

6 2. The documents required to terminate a guardianship or
7 conservatorship in this state, including any required accounting for the
8 period of administration before the transfer of jurisdiction.

APPROVED BY THE GOVERNOR APRIL 3, 2013.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 4, 2013.

Passed the House March 26, 2013,

by the following vote: 58 Ayes,

0 Nays, 2 Not Voting



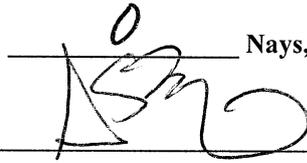
Speaker of the House


Cheryl Laube
Chief Clerk of the House

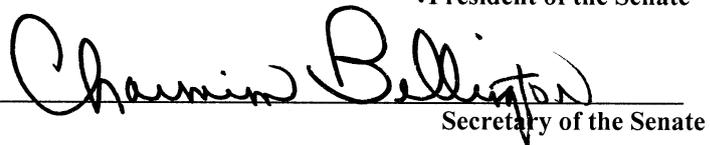
Passed the Senate February 27, 2013,

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting



President of the Senate

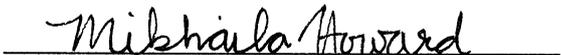

Chamin Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

1 day of April, 2013,

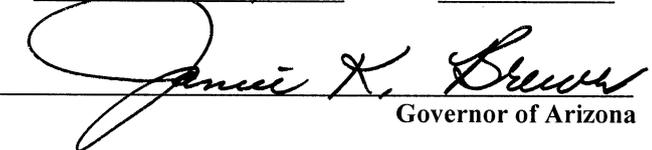
at 3:45 o'clock P M.


Mishhala Howard
Secretary to the Governor

Approved this 3rd day of

April, 2013.

at 4:34 o'clock P. M.

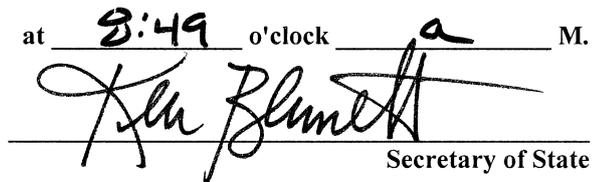

Janie K. Brewer
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 4th day of April, 2013,

at 8:49 o'clock a M.


Ken Blumenthal
Secretary of State

S.B. 1237