



COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Judiciary, to which was referred House Bill No. 1252, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 12, line 1, delete "P.L.240-2017," and insert "SEA 276-2021,".
2 Page 12, line 2, delete "SECTION 2," and insert "SECTION 8,".
3 Page 13, delete lines 4 through 16, begin a new line block indented
4 and insert:
5 "(1) The guardian may do the following:
6 (A) Pay the expenses of administration that are approved by
7 the court.
8 (B) Exercise all other powers that are necessary to complete
9 the performance of the guardian's trust. Permitted
10 performances under this clause include the following:
11 (i) The power to control the disposition of the deceased
12 protected person's body.
13 (ii) The power to make anatomical gifts.
14 (iii) The power to request an autopsy.
15 (iv) The power to make arrangements for funeral services.
16 (v) The power to make other ceremonial arrangements as
17 provided under IC 29-2-19-17.
18 (C) Deliver the remaining property for which the guardian is
19 responsible to the protected person's personal representative or

- 1 to a person who presents the guardian with an affidavit under
 2 IC 29-1-8-1 or IC 29-2-1-2.
- 3 (D) Request the health records of the protected person under
 4 IC 16-39-1-3(c)(4), except as provided in IC 16-39-1-3(d), if
 5 the protected person was an incapacitated person. The power
 6 of a guardian under this clause terminates sixty (60) days after
 7 the date of the protected person's death."
- 8 Page 13, line 20, delete "subdivision (1)(B)," and insert
 9 **"subdivision (1)(C),"**
- 10 Page 13, line 39, delete "debts having priority under".
- 11 Page 13, delete line 40.
- 12 Page 13, line 41, delete "person's".
- 13 Page 13, line 41, strike "federal and state taxes." and insert **"debts**
 14 **disclosed to the court and which could be filed and allowed as**
 15 **claims under IC 29-1-14, having the priority and preference**
 16 **established under IC 29-1-14-9(a)(4)."**
- 17 Page 14, line 3, delete "illness." and insert **"illness disclosed to the**
 18 **court and which could be filed and allowed as claims under**
 19 **IC 29-1-14, having the priority and preference established under**
 20 **IC 29-1-14-9(a)(5)."**
- 21 Page 14, line 4, delete "debts, including unpaid state" and insert
 22 **"debts disclosed to the court and which could be filed and allowed**
 23 **as claims under IC 29-1-14, having priority and preference**
 24 **established under IC 29-1-14-9(a)(6)."**
- 25 Page 14, delete lines 5 through 6.
- 26 Page 14, line 9, delete "IC 29-1-14." and insert **"IC 29-1-14, having**
 27 **the priority established under IC 29-1-14-9(a)(7)."**
- (Reference is to HB 1252 as printed January 26, 2021.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 1.

Brown L

Chairperson