

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 18 Session of 2025

INTRODUCED BY OLSOMMER, PICKETT AND ROWE, JANUARY 8, 2025

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 8, 2025

AN ACT

1 Amending Title 20 (Decedents, Estates and Fiduciaries) of the
 2 Pennsylvania Consolidated Statutes, in incapacitated persons,
 3 further providing for review hearing.

4 The General Assembly of the Commonwealth of Pennsylvania
 5 hereby enacts as follows:

6 Section 1. Section 5512.2(a.1) of Title 20 of the
 7 Pennsylvania Consolidated Statutes is amended to read:

8 § 5512.2. Review hearing.

9 * * *

10 (a.1) Petition for review.--At any time following the
 11 issuance of the order establishing guardianship, any interested
 12 person may file a petition with the court to terminate or modify
 13 the guardianship. [The court shall promptly schedule a hearing
 14 or hold a review hearing at any time it shall direct.] The court
 15 shall, within 30 days of the filing of the petition to terminate
 16 or modify the guardianship, schedule a hearing or hold a review
 17 hearing. The hearing shall be held in the presence of the
 18 incapacitated person and the incapacitated person's attorney,
 19 and the court shall adhere to the procedures and standards as

1 outlined in section 5512.1(a). If, following the presentation of
2 evidence and testimony from all parties, the court finds that
3 guardianship continues to be necessary and that no less
4 restrictive alternatives exist, the court may order that the
5 guardianship continue. If the court finds that guardianship is
6 no longer necessary or a less restrictive alternative exists,
7 the court shall discharge the guardianship.

8 * * *

9 Section 2. This act shall take effect in 60 days.