

HOUSE BILL REPORT

ESB 6008

*As Reported By House Committee on:
Judiciary*

Title: An act relating to the repeal of RCW 11.92.095.

Brief Description: Repealing RCW 11.92.095.

Sponsor(s): Senator Roach.

Brief History:

Reported by House Committee on:
Judiciary, February 18, 1992, DPA.

**HOUSE COMMITTEE ON
JUDICIARY**

Majority Report: *Do pass as amended.* Signed by 11 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; H. Myers; Riley; and Vance.

Staff: Pat Shelledy (786-7149).

Background:

Two statutes in the current guardianship chapter govern the duties of financial institutions that hold assets of a person subject to a guardianship. The two laws are partially redundant and partially conflicting.

One section, RCW 11.92.095, was passed in 1990, when the Legislature passed a comprehensive bill governing guardianship. The other section, RCW 11.92.096, was passed in 1991 as an amendment to a bill that was primarily a technical cleanup of the bill passed in 1990. The statute passed in 1991 provides more protection for the financial institution in case the guardian was not entitled to control of the ward's assets and requires the guardian rather than the financial institution to conduct an inventory of the assets. A representative of the institution must still supervise the preparation of the inventory.

Summary of Amended Bill: RCW 11.92.095, passed in 1990, is repealed.

Amended Bill Compared to Engrossed Bill: An unnecessary emergency clause which made the bill effective July 28, 1992 is removed.

Fiscal Note: Not requested.

Effective Date of Amended Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: None.

Testimony Against: None.

Witnesses: None.