

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 2204

By: Ivester and Johnson
(Constance) of the Senate

3
4 and

Dank of the House

5
6
7
8 (guardian and ward - creating Uniform Adult
9 Guardianship and Protective Proceedings Act -
10 codification -

11 effective date)
12
13

14 AUTHORS: Remove Dank as principal House author and substitute
15 Nelson as principal House author and show Dank as first
16 coauthor and add the following House coauthors: Tibbs and
Inman

17 AMENDMENT NO. 1. Strike the stricken title, enacting clause and
18 entire bill and insert

19 "An Act relating to guardian and ward; creating the
20 Uniform Adult Guardianship and Protective
21 Proceedings Act; providing short title; defining
22 terms; allowing certain communication; providing for
23 cooperation between courts of different states;
24 establishing requirements for out-of-state
testimony; stating requirements for certain
jurisdiction; requiring dismissal under certain
circumstances; allowing decline of jurisdiction
under certain circumstances; requiring consideration
of certain factors; allowing decline of jurisdiction

1 for certain conduct; requiring certain notice;
2 establishing procedures for certain proceedings in
3 more than one state; establishing procedures for
4 transfer of certain guardianship or conservatorship;
5 establishing requirements to accept transferred
6 guardianship or conservatorship; authorizing
7 registration of certain orders; stating effects of
8 certain registration; construing provisions; stating
9 effect on certain federal act; stating applicability
10 of act; providing for codification; and providing an
11 effective date.

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 ARTICLE 1

14 GENERAL PROVISIONS

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 3-301 of Title 30, unless there
17 is created a duplication in numbering, reads as follows:

18 This act shall be known and may be cited as the "Uniform Adult
19 Guardianship and Protective Proceedings Jurisdiction Act".

20 SECTION 2. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 3-302 of Title 30, unless there
22 is created a duplication in numbering, reads as follows:

23 As used in the Uniform Adult Guardianship and Protective
24 Proceedings Jurisdiction Act:

(1) "Adult" means an individual who has attained eighteen (18)
years of age;

(2) "Conservator" means a person appointed by the court to
administer the property of an adult;

1 (3) "Guardian" means a person appointed by the court to make
2 decisions regarding the person of an adult;

3 (4) "Guardianship order" means an order appointing a guardian;

4 (5) "Guardianship proceeding" means a judicial proceeding in
5 which an order for the appointment of a guardian is sought or has
6 been issued;

7 (6) "Incapacitated person" means an adult for whom a guardian
8 has been appointed;

9 (7) "Party" means the respondent, petitioner, guardian,
10 conservator, or any other person allowed by the court to participate
11 in a guardianship or protective proceeding;

12 (8) "Person", except in the term incapacitated person or
13 protected person, means an individual, corporation, business trust,
14 estate, trust, partnership, limited liability company, association,
15 joint venture, public corporation, government or governmental
16 subdivision, agency, or instrumentality, or any other legal or
17 commercial entity;

18 (9) "Protected person" means an adult for whom a protective
19 order has been issued;

20 (10) "Protective order" means an order appointing a conservator
21 or other order related to management of an adult's property;

22 (11) "Protective proceeding" means a judicial proceeding in
23 which a protective order is sought or has been issued;

24

1 (12) "Record" means information that is inscribed on a tangible
2 medium or that is stored in an electronic or other medium and is
3 retrievable in perceivable form;

4 (13) "Respondent" means an adult for whom a protective order or
5 the appointment of a guardian is sought; and

6 (14) "State" means a state of the United States, the District
7 of Columbia, Puerto Rico, the United States Virgin Islands, a
8 federally recognized Indian tribe, or any territory or insular
9 possession subject to the jurisdiction of the United States.

10 SECTION 3. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 3-303 of Title 30, unless there
12 is created a duplication in numbering, reads as follows:

13 (a) A court of this state may communicate with a court in
14 another state concerning a proceeding arising under this act. The
15 court may allow the parties to participate in the communication.
16 Except as otherwise provided in subsection (b) of this section, the
17 court shall make a record of the communication. The record may be
18 limited to the fact that the communication occurred.

19 (b) Courts may communicate concerning schedules, calendars,
20 court records, and other administrative matters without making a
21 record.

22 SECTION 4. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 3-304 of Title 30, unless there
24 is created a duplication in numbering, reads as follows:

1 (a) In a guardianship or protective proceeding in this state, a
2 court of this state may request the appropriate court of another
3 state to do any of the following:

4 (1) Hold an evidentiary hearing;

5 (2) Order a person in that state to produce evidence or give
6 testimony pursuant to procedures of that state;

7 (3) Order that an evaluation or assessment be made of the
8 respondent;

9 (4) Order any appropriate investigation of a person involved in
10 a proceeding;

11 (5) Forward to the court of this state a certified copy of the
12 transcript or other record of a hearing under paragraph (1) of this
13 subsection or any other proceeding, any evidence otherwise produced
14 under paragraph (2) of this subsection, and any evaluation or
15 assessment prepared in compliance with an order under paragraph (3)
16 or (4) of this subsection;

17 (6) Issue any order necessary to assure the appearance in the
18 proceeding of a person whose presence is necessary for the court to
19 make a determination, including the respondent or the incapacitated
20 or protected person;

21 (7) Issue an order authorizing the release of medical,
22 financial, criminal, or other relevant information in that state,
23 including protected health information as defined in 45 C.F.R.
24 Section 164.504, as amended.

1 (b) If a court of another state in which a guardianship or
2 protective proceeding is pending requests assistance of the kind
3 provided in subsection (a) of this section, a court of this state
4 has jurisdiction for the limited purpose of granting the request or
5 making reasonable efforts to comply with the request.

6 SECTION 5. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 3-305 of Title 30, unless there
8 is created a duplication in numbering, reads as follows:

9 (a) In a guardianship or protective proceeding, in addition to
10 other procedures that may be available, testimony of a witness who
11 is located in another state may be offered by deposition or other
12 means allowable in this state for testimony taken in another state.
13 The court on its own motion may order that the testimony of a
14 witness be taken in another state and may prescribe the manner in
15 which and the terms upon which the testimony is to be taken.

16 (b) In a guardianship or protective proceeding, a court in this
17 state may permit a witness located in another state to be deposed or
18 to testify by telephone or audiovisual or other electronic means. A
19 court of this state shall cooperate with the court of the other
20 state in designating an appropriate location for the deposition or
21 testimony.

22 (c) Documentary evidence transmitted from another state to a
23 court of this state by technological means that do not produce an
24

1 original writing may not be excluded from evidence on an objection
2 based on the best evidence rule.

3 ARTICLE 2

4 JURISDICTION

5 SECTION 6. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 3-306 of Title 30, unless there
7 is created a duplication in numbering, reads as follows:

8 (a) In this article:

9 (1) "Emergency" means a circumstance that likely will result in
10 substantial harm to a respondent's health, safety, or welfare, and
11 for which the appointment of a guardian is necessary because no
12 other person has authority and is willing to act on the respondent's
13 behalf;

14 (2) "Home state" means the state in which the respondent was
15 physically present, including any period of temporary absence, for
16 at least six (6) consecutive months immediately before the filing of
17 a petition for a protective order or the appointment of a guardian;
18 or if none, the state in which the respondent was physically
19 present, including any period of temporary absence, for at least six
20 (6) consecutive months ending within the six (6) months prior to the
21 filing of the petition; and

22 (3) "Significant-connection state" means a state, other than
23 the home state, with which a respondent has a significant connection
24

1 other than mere physical presence and in which substantial evidence
2 concerning the respondent is available.

3 (b) In determining under Section 8 and subsection (e) of
4 Section 15 of this act whether a respondent has a significant
5 connection with a particular state, the court shall consider:

6 (1) The location of the respondent's family and other persons
7 required to be notified of the guardianship or protective
8 proceeding;

9 (2) The length of time the respondent at any time was
10 physically present in the state and the duration of any absence;

11 (3) The location of the respondent's property; and

12 (4) The extent to which the respondent has ties to the state
13 such as voting registration, state or local tax return filing,
14 vehicle registration, driver license, social relationship, and
15 receipt of services.

16 SECTION 7. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 3-307 of Title 30, unless there
18 is created a duplication in numbering, reads as follows:

19 This article provides the exclusive jurisdictional basis for a
20 court of this state to appoint a guardian or issue a protective
21 order for an adult.

22 SECTION 8. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 3-308 of Title 30, unless there
24 is created a duplication in numbering, reads as follows:

1 A court of this state has jurisdiction to appoint a guardian or
2 issue a protective order for a respondent if:

3 (1) This state is the respondent's home state;

4 (2) On the date the petition is filed, this state is a
5 significant-connection state and:

6 (A) the respondent does not have a home state or a court
7 of the respondent's home state has declined to
8 exercise jurisdiction because this state is a more
9 appropriate forum, or

10 (B) the respondent has a home state, a petition for an
11 appointment or order is not pending in a court of that
12 state or another significant-connection state, and,
13 before the court makes the appointment or issues the
14 order:

15 (i) a petition for an appointment or order is not
16 filed in the respondent's home state,

17 (ii) an objection to the court's jurisdiction is not
18 filed by a person required to be notified of the
19 proceeding, and

20 (iii) the court in this state concludes that it is an
21 appropriate forum under the factors set forth in
22 Section 11 of this act;

23 (3) This state does not have jurisdiction under either
24 paragraph (1) or (2) of this subsection, the respondent's home state

1 and all significant-connection states have declined to exercise
2 jurisdiction because this state is the more appropriate forum, and
3 jurisdiction in this state is consistent with the constitutions of
4 this state and the United States; or

5 (4) The requirements for special jurisdiction under Section 9
6 of this act are met.

7 SECTION 9. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 3-309 of Title 30, unless there
9 is created a duplication in numbering, reads as follows:

10 (a) A court of this state lacking jurisdiction under paragraphs
11 (1) through (3) of Section 8 of this act has special jurisdiction to
12 do any of the following:

13 (1) Appoint a guardian in an emergency for a term not to exceed
14 ninety (90) days for a respondent who is physically present in this
15 state;

16 (2) Issue a protective order with respect to real or tangible
17 personal property located in this state;

18 (3) Appoint a guardian or conservator for an incapacitated or
19 protected person for whom a provisional order to transfer the
20 proceeding from another state has been issued under procedures
21 similar to Section 15 of this act.

22 (b) If a petition for the appointment of a guardian in an
23 emergency is brought in this state and this state was not the
24 respondent's home state on the date the petition was filed, the

1 court shall dismiss the proceeding at the request of the court of
2 the home state, if any, whether dismissal is requested before or
3 after the emergency appointment.

4 SECTION 10. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 3-310 of Title 30, unless there
6 is created a duplication in numbering, reads as follows:

7 Except as otherwise provided in Section 9 of this act, a court
8 that has appointed a guardian or issued a protective order
9 consistent with this act has exclusive and continuing jurisdiction
10 over the proceeding until it is terminated by the court or the
11 appointment or order expires by its own terms.

12 SECTION 11. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 3-311 of Title 30, unless there
14 is created a duplication in numbering, reads as follows:

15 (a) A court of this state having jurisdiction under Section 8
16 of this act to appoint a guardian or issue a protective order may
17 decline to exercise its jurisdiction if it determines at any time
18 that a court of another state is a more appropriate forum.

19 (b) If a court of this state declines to exercise its
20 jurisdiction under subsection (a) of this section, it shall either
21 dismiss or stay the proceeding. The court may impose any condition
22 the court considers just and proper, including the condition that a
23 petition for the appointment of a guardian or issuance of a
24 protective order be filed promptly in another state.

1 (c) In determining whether it is an appropriate forum, the
2 court shall consider all relevant factors, including:

3 (1) Any expressed preference of the respondent;

4 (2) Whether abuse, neglect, or exploitation of the respondent
5 has occurred or is likely to occur and which state could best
6 protect the respondent from the abuse, neglect, or exploitation;

7 (3) The length of time the respondent was physically present in
8 or was a legal resident of this or another state;

9 (4) The distance of the respondent from the court in each
10 state;

11 (5) The financial circumstances of the respondent's estate;

12 (6) The nature and location of the evidence;

13 (7) The ability of the court in each state to decide the issue
14 expeditiously and the procedures necessary to present evidence;

15 (8) The familiarity of the court of each state with the facts
16 and issues in the proceeding; and

17 (9) If an appointment were made, the court's ability to monitor
18 the conduct of the guardian or conservator.

19 SECTION 12. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 3-312 of Title 30, unless there
21 is created a duplication in numbering, reads as follows:

22 (a) If at any time a court of this state determines that it
23 acquired jurisdiction to appoint a guardian or issue a protective
24 order because of unjustifiable conduct, the court may:

1 (1) Decline to exercise jurisdiction;

2 (2) Exercise jurisdiction for the limited purpose of fashioning
3 an appropriate remedy to ensure the health, safety, and welfare of
4 the respondent or the protection of the respondent's property or
5 prevent a repetition of the unjustifiable conduct, including staying
6 the proceeding until a petition for the appointment of a guardian or
7 issuance of a protective order is filed in a court of another state
8 having jurisdiction; or

9 (3) Continue to exercise jurisdiction after considering:

10 (A) the extent to which the respondent and all persons
11 required to be notified of the proceedings have
12 acquiesced in the exercise of the court's
13 jurisdiction;

14 (B) whether it is a more appropriate forum than the court
15 of any other state under the factors set forth in
16 subsection (c) of Section 11 of this act; and

17 (C) whether the court of any other state would have
18 jurisdiction under factual circumstances in
19 substantial conformity with the jurisdictional
20 standards of Section 8 of this act.

21 (b) If a court of this state determines that it acquired
22 jurisdiction to appoint a guardian or issue a protective order
23 because a party seeking to invoke its jurisdiction engaged in
24 unjustifiable conduct, it may assess against that party necessary

1 and reasonable expenses, including attorney fees, investigative
2 fees, court costs, communication expenses, witness fees and
3 expenses, and travel expenses. The court may not assess fees,
4 costs, or expenses of any kind against this state or a governmental
5 subdivision, agency, or instrumentality of this state unless
6 authorized by law other than this act.

7 SECTION 13. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 3-313 of Title 30, unless there
9 is created a duplication in numbering, reads as follows:

10 If a petition for the appointment of a guardian or issuance of a
11 protective order is brought in this state and this state was not the
12 respondent's home state on the date the petition was filed, in
13 addition to complying with the notice requirements of this state,
14 notice of the petition shall be given to those persons who would be
15 entitled to notice of the petition if a proceeding were brought in
16 the respondent's home state. The notice shall be given in the same
17 manner as notice is required to be given in this state.

18 SECTION 14. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 3-314 of Title 30, unless there
20 is created a duplication in numbering, reads as follows:

21 Except for a petition for the appointment of a guardian in an
22 emergency or issuance of a protective order limited to property
23 located in this state under paragraph (1) or (2) of subsection (a)
24 of Section 9 of this act, if a petition for the appointment of a

1 guardian or issuance of a protective order is filed in this state
2 and in another state and neither petition has been dismissed or
3 withdrawn, the following rules apply:

4 (1) If the court in this state has jurisdiction under Section 8
5 of this act, it may proceed with the case unless a court in another
6 state acquires jurisdiction under provisions similar to Section 8 of
7 this act before the appointment or issuance of the order.

8 (2) If the court in this state does not have jurisdiction under
9 Section 8 of this act, whether at the time the petition is filed or
10 at any time before the appointment or issuance of the order, the
11 court shall stay the proceeding and communicate with the court in
12 the other state. If the court in the other state has jurisdiction,
13 the court in this state shall dismiss the petition unless the court
14 in the other state determines that the court in this state is a more
15 appropriate forum.

16 ARTICLE 3

17 TRANSFER OF GUARDIANSHIP OR CONSERVATORSHIP

18 SECTION 15. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 3-315 of Title 30, unless there
20 is created a duplication in numbering, reads as follows:

21 (a) A guardian or conservator appointed in this state may
22 petition the court to transfer the guardianship or conservatorship
23 to another state.

24

1 (b) Notice of a petition under subsection (a) of this section
2 shall be given to the persons that would be entitled to notice of a
3 petition in this state for the appointment of a guardian or
4 conservator.

5 (c) On the court's own motion or on request of the guardian or
6 conservator, the incapacitated or protected person, or other person
7 required to be notified of the petition, the court shall hold a
8 hearing on a petition filed pursuant to subsection (a) of this
9 section.

10 (d) The court shall issue an order provisionally granting a
11 petition to transfer a guardianship and shall direct the guardian to
12 petition for guardianship in the other state if the court is
13 satisfied that the guardianship will be accepted by the court in the
14 other state and the court finds that:

15 (1) The incapacitated person is physically present in or is
16 reasonably expected to move permanently to the other state;

17 (2) An objection to the transfer has not been made or, if an
18 objection has been made, the objector has not established that the
19 transfer would be contrary to the interests of the incapacitated
20 person; and

21 (3) Plans for care and services for the incapacitated person in
22 the other state are reasonable and sufficient.

23 (e) The court shall issue a provisional order granting a
24 petition to transfer a conservatorship and shall direct the

1 conservator to petition for conservatorship in the other state if
2 the court is satisfied that the conservatorship will be accepted by
3 the court of the other state and the court finds that:

4 (1) The protected person is physically present in or is
5 reasonably expected to move permanently to the other state, or the
6 protected person has a significant connection to the other state
7 considering the factors in subsection (b) of Section 6 of this act;

8 (2) An objection to the transfer has not been made or, if an
9 objection has been made, the objector has not established that the
10 transfer would be contrary to the interests of the protected person;
11 and

12 (3) Adequate arrangements will be made for management of the
13 protected person's property.

14 (f) The court shall issue a final order confirming the transfer
15 and terminating the guardianship or conservatorship upon its receipt
16 of:

17 (1) A provisional order accepting the proceeding from the court
18 to which the proceeding is to be transferred which is issued under
19 provisions similar to Section 16 of this act; and

20 (2) The documents required to terminate a guardianship or
21 conservatorship in this state.

22 SECTION 16. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 3-316 of Title 30, unless there
24 is created a duplication in numbering, reads as follows:

1 (a) To confirm transfer of a guardianship or conservatorship
2 transferred to this state under provisions similar to Section 15 of
3 this act, the guardian or conservator shall petition the court in
4 this state to accept the guardianship or conservatorship. The
5 petition shall include a certified copy of the other state's
6 provisional order of transfer.

7 (b) Notice of a petition under subsection (a) of this section
8 shall be given to those persons that would be entitled to notice if
9 the petition were a petition for the appointment of a guardian or
10 issuance of a protective order in both the transferring state and
11 this state. The notice shall be given in the same manner as notice
12 is required to be given in this state.

13 (c) On the court's own motion or on request of the guardian or
14 conservator, the incapacitated or protected person, or other person
15 required to be notified of the proceeding, the court shall hold a
16 hearing on a petition filed pursuant to subsection (a) of this
17 section.

18 (d) The court shall issue an order provisionally granting a
19 petition filed under subsection (a) of this section unless:

20 (1) An objection is made and the objector establishes that
21 transfer of the proceeding would be contrary to the interests of the
22 incapacitated or protected person; or

23 (2) The guardian or conservator is ineligible for appointment
24 in this state.

1 (e) The court shall issue a final order accepting the
2 proceeding and appointing the guardian or conservator as guardian or
3 conservator in this state upon its receipt from the court from which
4 the proceeding is being transferred of a final order issued under
5 provisions similar to Section 15 of this act transferring the
6 proceeding to this state.

7 (f) Not later than ninety (90) days after issuance of a final
8 order accepting transfer of a guardianship or conservatorship, the
9 court shall determine whether the guardianship or conservatorship
10 needs to be modified to conform to the law of this state.

11 (g) In granting a petition under this section, the court shall
12 recognize a guardianship or conservatorship order from the other
13 state, including the determination of the incapacitated or protected
14 person's incapacity and the appointment of the guardian or
15 conservator.

16 (h) The denial by a court of this state of a petition to accept
17 a guardianship or conservatorship transferred from another state
18 does not affect the ability of the guardian or conservator to seek
19 appointment as guardian or conservator in this state under Section
20 3-101 of Title 30 of the Oklahoma Statutes if the court has
21 jurisdiction to make an appointment other than by reason of the
22 provisional order of transfer.

23 ARTICLE 4

24 REGISTRATION AND RECOGNITION OF ORDERS FROM OTHER STATES

1 SECTION 17. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 3-317 of Title 30, unless there
3 is created a duplication in numbering, reads as follows:

4 If a guardian has been appointed in another state and a petition
5 for the appointment of a guardian is not pending in this state, the
6 guardian appointed in the other state, after giving notice to the
7 appointing court of an intent to register, may register the
8 guardianship order in this state by filing as a foreign judgment in
9 a court, in any appropriate county of this state, certified copies
10 of the order and letters of office.

11 SECTION 18. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 3-318 of Title 30, unless there
13 is created a duplication in numbering, reads as follows:

14 If a conservator has been appointed in another state and a
15 petition for a protective order is not pending in this state, the
16 conservator appointed in the other state, after giving notice to the
17 appointing court of an intent to register, may register the
18 protective order in this state by filing as a foreign judgment in a
19 court of this state, in any county in which property belonging to
20 the protected person is located, certified copies of the order and
21 letters of office and of any bond.

22 SECTION 19. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 3-319 of Title 30, unless there
24 is created a duplication in numbering, reads as follows:

1 (a) Upon registration of a guardianship or protective order
2 from another state, the guardian or conservator may exercise in this
3 state all powers authorized in the order of appointment except as
4 prohibited under the laws of this state, including maintaining
5 actions and proceedings in this state and, if the guardian or
6 conservator is not a resident of this state, subject to any
7 conditions imposed upon nonresident parties.

8 (b) A court of this state may grant any relief available under
9 this act and other law of this state to enforce a registered order.

10 ARTICLE 5

11 MISCELLANEOUS PROVISIONS

12 SECTION 20. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 3-320 of Title 30, unless there
14 is created a duplication in numbering, reads as follows:

15 In applying and construing this uniform act, consideration must
16 be given to the need to promote uniformity of the law with respect
17 to its subject matter among states that enact it.

18 SECTION 21. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 3-321 of Title 30, unless there
20 is created a duplication in numbering, reads as follows:

21 This act modifies, limits, and supersedes the federal Electronic
22 Signatures in Global and National Commerce Act, 15 U.S.C. Section
23 7001, et seq., but does not modify, limit, or supersede Section
24 101(c) of that act, 15 U.S.C. Section 7001(c), or authorize

1 electronic delivery of any of the notices described in Section
2 103(b) of that act, 15 U.S.C. Section 7003(b).

3 SECTION 22. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 3-322 of Title 30, unless there
5 is created a duplication in numbering, reads as follows:

6 (a) This act applies to guardianship and protective proceedings
7 begun on or after the effective date of this act.

8 (b) Articles 1, 3, and 4 and Sections 21 and 22 of this act
9 apply to proceedings begun before the effective date of this act,
10 regardless of whether a guardianship or protective order has been
11 issued.

12 SECTION 23. This act shall become effective November 1, 2010."

13 Passed the House of Representatives the 21st day of April, 2010.

14

15

16 _____
Presiding Officer of the House of
Representatives

17

18 Passed the Senate the ____ day of _____, 2010.

19

20

21 _____
Presiding Officer of the Senate

22

23

24