

BILL SUMMARY
1st Session of the 58th Legislature

Bill No.:	SB 198
Version:	ENGR
Request Number:	
Author:	Rep. Lawson
Date:	4/12/2021
Impact:	No direct impact to state anticipated

Research Analysis

Engrossed SB 198 modifies the Oklahoma Guardianship and Conservatorship Act to specify that “least restrictive alternative” means an approach to meeting an individual’s needs that restricts fewer rights than would the appointment of a guardian or conservator. The measure also adds a definition of “supported decision making” which means assistance from one or more persons chosen by the individual in understanding the nature and consequences of potential personal and financial decisions to enable an individual to make those decisions.

After court proceedings, the court shall determine the extent of incapacity and the feasibility of less restrictive alternatives. Upon determination, the court may dismiss the action if less restrictive actions are feasible or appoint a guardian or limited guardian. Guardianship for incapacitated persons shall be designed to encourage the development of self-reliance and independence, used as is necessary to promote the well-being of person and property, and ordered only to the extent required by the actual limitations of the person.

Prepared By: Suzie Nahach

Fiscal Analysis

The measure modifies the definition of least restrictive alternative as it relates to the appointment of guardians. The measure also modifies the process whereby courts appoint guardians.

Upon review, no direct impact to state revenues or expenditures is anticipated from passage of the measure.

Prepared By: Clayton Mayfield

Other Considerations

None.