
Wisconsin Legislative Council

AMENDMENT MEMO



Memo published: March 16, 2020

Contact: Michael Queensland, Senior Staff Attorney

2019 Assembly Bill 786

**Assembly Amendments 1, 2, 3,
and 4**

ASSEMBLY BILL 786

With certain exemptions, Assembly Bill 786 establishes mandatory initial training requirements for guardians. The bill requires a proposed guardian of the person or the estate to submit a sworn and notarized statement to the court that the person has completed the training requirements. The bill exempts from this training requirement an entity that is a guardian regulated by the Department of Health Services (DHS) or a volunteer guardian who has completed the training requirements with regard to a prior ward.

The bill also requires DHS to award a grant to an organization with expertise in state guardianship law to develop, administer, and conduct the required guardian training. An organization awarded the grant must develop plain language, web-based, online training modules that can be accessed for free, with printed versions available for free upon request. The grantee must develop the content for the initial training to be provided to guardians within one year after the bill's effective date and must implement the program within 18 months of the bill's effective date. To fund this grant, the bill increases a DHS appropriation currently used to award grants for the purpose of training and assisting guardians for individuals found incompetent by \$135,000 during fiscal year 2019-20 and by \$126,325 for fiscal year 2020-21.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 exempts any person nominated for appointment or seeking appointment as a guardian of a minor from the initial training requirements in the bill.

ASSEMBLY AMENDMENT 2

Assembly Amendment 2 provides that a person nominated for appointment or seeking appointment as a guardian of the person may complete the required training in either a web-based, online training, or complete the training using a print version.

ASSEMBLY AMENDMENT 3

Assembly Amendment 3 clarifies that the following people seeking to become a guardian are exempt from the training requirement created by the bill: an entity that is a guardian regulated by DHS; a volunteer guardian who has already completed the training requirements for a prior ward; and a guardian of a minor.

ASSEMBLY AMENDMENT 4

Assembly Amendment 4 does the all of the following:

- Eliminates the increase to DHS's appropriation and the authority to use that appropriation to award a grant to an organization to develop, administer, and conduct the required guardian training under the bill.
- Provides that the grantee must implement the program it develops to train guardians within one year of the bill's effective date.
- Clarifies that the training requirements for proposed guardians created by the bill first apply to petitions filed approximately one year after the bill's effective date.

BILL HISTORY

Representative Zimmermann introduced Assembly Amendment 1 on February 4, 2020, and Assembly Amendments 2 and 3 on February 5, 2020. The Assembly Committee on Judiciary voted on February 6, 2020, to recommend adoption of the amendments on votes of Ayes, 9; Noes, 0, and voted to recommend passage of the bill, as amended, on a vote of Ayes, 8; Noes, 1. Representative Zimmermann introduced Assembly Amendment 4 on February 19, 2020. The Assembly voted on February 20, 2020, to adopt Assembly Amendments 1, 2, 3, and 4, on voice votes, and to pass the bill, as amended, on a vote of Ayes, 99; Noes, 0.

MQ:kms