

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: S3/13/01

A Bill

Act 1689 of 2001
SENATE BILL 433

5 By: Senator Webb
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE 28-65-302 TO
10 PROVIDE THAT BEFORE AN INCAPACITATED PERSON MAY
11 VOTE, A GUARDIAN SHALL RECEIVE COURT APPROVAL;
12 AND FOR OTHER PURPOSES.

Subtitle

14 TO PROVIDE THAT BEFORE AN INCAPACITATED
15 PERSON MAY VOTE, A GUARDIAN SHALL
16 RECEIVE COURT APPROVAL.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code 28-65-302(a) is amended to read as follows:

23 (a) (1) No guardian appointed prior to October 1, 2001 shall make any of
24 the following decisions without filing a petition and receiving express court
25 approval:

26 ~~(1)~~ (A) Consent on behalf of the incapacitated person to
27 abortion, sterilization, psychosurgery, or removal of bodily organs except
28 when necessary in a situation threatening the life of the incapacitated;

29 ~~(2)~~ (B) Consent to withholding life-saving treatment;

30 ~~(3)~~ (C) Authorize experimental medical procedures;

31 ~~(4)~~ (D) Authorize termination of parental rights;

32 ~~(5)~~ (E) Prohibit the incapacitated person from voting;

33 ~~(6)~~ (F) Prohibit the incapacitated person from obtaining a
34 driver's license; or

35 ~~(7)~~ (G) Consent to a settlement or compromise of any claim
36 by or against the incapacitated person or his estate.

1 (2) No guardian appointed on or after October 1, 2001 shall make
2 any of the following decisions without filing a petition and receiving express
3 court approval:

4 (A) Consent on behalf of the incapacitated person to
5 abortion, sterilization, psychosurgery, or removal of bodily organs except
6 when necessary in a situation threatening the life of the incapacitated;

7 (B) Consent to withholding life-saving treatment;

8 (C) Authorize experimental medical procedures;

9 (D) Authorize termination of parental rights;

10 (E) Authorize an incapacitated person to vote;

11 (F) Prohibit the incapacitated person from obtaining a
12 driver's license; or

13 (G) Consent to a settlement or compromise of any claim by
14 or against the incapacitated person or his estate.

/s/ Webb

APPROVED: 4/17/2001

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