

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 84th General Assembly  
3 Regular Session, 2003

# A Bill

HOUSE BILL 2686

4  
5 By: Representative Mahony  
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## For An Act To Be Entitled

8  
9 AN ACT CONCERNING ACTS OF GUARDIANS WHICH REQUIRE  
10 COURT APPROVAL; AND FOR OTHER PURPOSES.  
11

## Subtitle

12  
13 AN ACT CONCERNING ACTS OF GUARDIANS  
14 WHICH REQUIRE COURT APPROVAL.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code § 28-65-302 is amended to read as follows:  
20 28-65-302. Decisions requiring court approval.

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

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

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

28 (C) Authorize experimental medical procedures;

29 (D) Authorize termination of parental rights;

30 (E) Prohibit the incapacitated person from voting;

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

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

35 ~~(2) No guardian appointed on or after October 1, 2001, shall~~  
36 ~~make any of the following decisions without filing a petition and receiving~~



1 ~~express court approval;~~

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

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

6 ~~(C) Authorize experimental medical procedures;~~

7 ~~(D) Authorize termination of parental rights;~~

8 ~~(E) Authorize an incapacitated person to vote;~~

9 ~~(F) Prohibit the incapacitated person from obtaining a~~  
10 ~~driver's license; or~~

11 ~~(G) Consent to a settlement or compromise of any claim by~~  
12 ~~or against the incapacitated person or his or her estate.~~

13 ~~(b) Provided, however, the provisions of subdivision (a)(2) of this~~  
14 ~~section shall not apply to written requests under § 20-17-214.~~

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