Department of Planning and Budget
2023 Fiscal Impact Statement

1. **Bill Number:** HB 2063

House of Origin	☐	Introduced	☒	Substitute	☐	Engrossed
Second House	☐	In Committee	☐	Substitute	☐	Enrolled

2. **Patron:** Glass

3. **Committee:** -

4. **Title:** Guardian ad litem; appointment, requested information, records, or reports

5. **Summary:** The substitute bill requires any individual or entity with information, records, or reports relevant to a guardianship or conservatorship proceeding, including any local department of social services, criminal justice agency, financial institution, investment advisor, or other financial services provider, to provide, upon request from the appointed guardian ad litem, such information, records, or reports to the appointed guardian ad litem. The bill also specifies that all information, records, and reports must be provided to the guardian ad litem at no charge. However, disclosures, records, and reports can be provided in electronic form to the guardian ad litem and may be accompanied by a statement of expenses or an invoice, which must be filed with the report of the guardian ad litem to be considered by the court when awarding costs among the parties.

   The bill also requires certain financial institutions, in cooperation with an investigation of alleged abuse, neglect, or exploitation of an adult, to make available any financial records or information relevant to such investigation upon request from any guardian ad litem who has been appointed by the court to represent such adult. The bill immunizes such financial institutions from civil or criminal liability for providing such financial records or information, provided that such financial institutions did not engage in gross negligence or willful misconduct.

6. **Budget Amendment Necessary**: Indeterminate (See Item 8).

7. **Indeterminate Fiscal Impact** (See Item 8)

8. **Fiscal Implications:** This bill requires individuals and entities to provide information to a court appointed guardian ad litem at no cost.

   While any costs associated with this proposal are not expected to be significant; a fiscal impact cannot be determined at this time. The provisions of the bill may increase the administrative burden on those parties, including local departments of social services and criminal justice agencies, required to furnish information. However, the legislation allows such information to be provided electronically and the workload associated with generating the required documentation when requested by guardian ad litems is not expected to be

substantial. In the event the impact on an affected agency exceeds the assumed workload, there may be a need for corresponding additions to staff.

Courts have also indicated that the bill could potentially impact the time a guardian ad litem spends on casework. As such, there could be some indeterminate impact on the criminal fund since it would cover the hour cost of a guardian ad litem's time.

9. **Specific Agency or Political Subdivisions Affected:**
   Criminal Justice Agencies
   Department of Social Services
   Local Departments of Social Services

10. **Technical Amendment Necessary:** No

11. **Other Comments:** This bill is a companion to SB 1144.