

SB1049



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB1049

Introduced 1/24/2013, by Sen. John J. Cullerton

SYNOPSIS AS INTRODUCED:

755 ILCS 5/11a-6

from Ch. 110 1/2, par. 11a-6

Amends the Probate Act of 1975. Makes a technical change in provisions concerning the designation of a guardian.

LRB098 07180 HEP 37241 b

A BILL FOR

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Probate Act of 1975 is amended by changing
5 Section 11a-6 as follows:

6 (755 ILCS 5/11a-6) (from Ch. 110 1/2, par. 11a-6)

7 Sec. 11a-6. Designation of Guardian.) A person, while of
8 sound mind and ~~and~~ memory, may designate in writing a person,
9 corporation or public agency qualified to act under Section
10 11a-5, to be appointed as guardian or as successor guardian of
11 his person or of his estate or both, in the event he is
12 adjudged to be a disabled person. The designation may be proved
13 by any competent evidence, but if it is executed and attested
14 in the same manner as a will, it shall have prima facie
15 validity. If the court finds that the appointment of the one
16 designated will serve the best interests and welfare of the
17 ward, it shall make the appointment in accordance with the
18 designation. The selection of the guardian shall be in the
19 discretion of the court whether or not a designation is made.

20 (Source: P.A. 81-795.)