

# SB2645



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2645

Introduced 1/10/2024, by Sen. Mary Edly-Allen

### SYNOPSIS AS INTRODUCED:

20 ILCS 3955/33.5  
755 ILCS 5/13-1.2

Amends the Guardianship and Advocacy Act and the Probate Act of 1975. Provides that the changes made by Public Act 103-64 shall begin July 1, 2024. Effective immediately.

LRB103 35150 LNS 65116 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 Guardianship and Advocacy Act is amended by  
5 changing Section 33.5 as follows:

6 (20 ILCS 3955/33.5)

7 (Text of Section before amendment by P.A. 103-64)

8 Sec. 33.5. Guardianship training program. The State  
9 Guardian shall provide a training program that outlines the  
10 duties and responsibilities of guardians appointed under  
11 Article XIa of the Probate Act of 1975. The training program  
12 shall be offered to courts at no cost, and shall outline the  
13 responsibilities of a guardian and the rights of a person with  
14 a disability in a guardianship proceeding under Article XIa of  
15 the Probate Act of 1975. In developing the training program  
16 content, the State Guardian shall consult with the courts,  
17 State and national guardianship organizations, public  
18 guardians, advocacy organizations, and persons and family  
19 members with direct experience with adult guardianship. In the  
20 preparation and dissemination of training materials, the State  
21 Guardian shall give due consideration to making the training  
22 materials accessible to persons with disabilities.

23 (Source: P.A. 100-483, eff. 9-8-18.)

1 (Text of Section after amendment by P.A. 103-64)

2 Sec. 33.5. Guardianship training program. The State  
3 Guardian shall provide a training program that outlines the  
4 duties and responsibilities of guardians appointed under  
5 Article XIa of the Probate Act of 1975. The training program  
6 shall be offered to courts at no cost, and shall outline the  
7 responsibilities of a guardian and the rights of a person with  
8 a disability in a guardianship proceeding under Article XIa of  
9 the Probate Act of 1975. Beginning July 1, 2024, the ~~The~~  
10 training program shall also include content regarding  
11 Alzheimer's disease and dementia, including, but not limited  
12 to, the following topics: effective communication strategies;  
13 best practices for interacting with people living with  
14 Alzheimer's disease or related forms of dementia; and  
15 strategies for supporting people living with Alzheimer's  
16 disease or related forms of dementia in exercising their  
17 rights. In developing the training program content, the State  
18 Guardian shall consult with the courts, State and national  
19 guardianship organizations, public guardians, advocacy  
20 organizations, and persons and family members with direct  
21 experience with adult guardianship. In the preparation and  
22 dissemination of training materials, the State Guardian shall  
23 give due consideration to making the training materials  
24 accessible to persons with disabilities.

25 (Source: P.A. 103-64, eff. 1-1-24.)

1           Section 10. The Probate Act of 1975 is amended by changing  
2           Section 13-1.2 as follows:

3           (755 ILCS 5/13-1.2)

4           (Text of Section before amendment by P.A. 103-64)

5           Sec. 13-1.2. Certification requirement. Each person  
6           appointed as a public guardian by the Governor shall be  
7           certified as a National Certified Guardian by the Center for  
8           Guardianship Certification within 6 months after his or her  
9           appointment. The Guardianship and Advocacy Commission shall  
10          provide public guardians with information about certification  
11          requirements and procedures for testing and certification  
12          offered by the Center for Guardianship Certification. The cost  
13          of certification shall be considered an expense connected with  
14          the operation of the public guardian's office within the  
15          meaning of subsection (b) of Section 13-3.1 of this Article.

16          (Source: P.A. 100-483, eff. 9-8-18.)

17          (Text of Section after amendment by P.A. 103-64)

18          Sec. 13-1.2. Certification requirement. Each person  
19          appointed as a public guardian by the Governor shall be  
20          certified as a National Certified Guardian by the Center for  
21          Guardianship Certification within 6 months after his or her  
22          appointment. The Guardianship and Advocacy Commission shall  
23          provide public guardians with information about certification

1 requirements and procedures for testing and certification  
2 offered by the Center for Guardianship Certification. The cost  
3 of certification shall be considered an expense connected with  
4 the operation of the public guardian's office within the  
5 meaning of subsection (b) of Section 13-3.1 of this Article.

6 Beginning July 1, 2024, a ~~A~~ public guardian shall  
7 additionally complete a one-hour course regarding Alzheimer's  
8 disease and dementia within 6 months of appointment and  
9 annually thereafter. The training program shall include, but  
10 not be limited to, the following topics: effective  
11 communication strategies; best practices for interacting with  
12 people with Alzheimer's disease and related forms of dementia;  
13 and strategies for supporting people living with Alzheimer's  
14 disease or related forms of dementia in exercising their  
15 rights.

16 (Source: P.A. 103-64, eff. 1-1-24.)

17 Section 95. No acceleration or delay. Where this Act makes  
18 changes in a statute that is represented in this Act by text  
19 that is not yet or no longer in effect (for example, a Section  
20 represented by multiple versions), the use of that text does  
21 not accelerate or delay the taking effect of (i) the changes  
22 made by this Act or (ii) provisions derived from any other  
23 Public Act.

24 Section 99. Effective date. This Act takes effect upon  
25 becoming law.