

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 451

Short Title: Public Health Not Guardian.

(Public)

Sponsors: Representatives Gottovi; and Cummings.

Referred to: Judiciary II.

March 22, 1993

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THAT LOCAL HEALTH DEPARTMENTS MAY NOT BE
APPOINTED AS GUARDIANS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 35A-1101(4) reads as rewritten:

"(4) 'Designated agency' means the State or local human resources agency designated by the clerk in his order to prepare, cause to be prepared, or assemble a multidisciplinary evaluation and to perform other functions as the clerk may order. A designated agency includes, without limitation, State, local, regional, or area mental health, mental retardation, vocational rehabilitation, ~~public health~~, social service, and developmental disabilities agencies, and diagnostic evaluation centers."

Sec. 2. G.S. 35A-1202(3) reads as rewritten:

"(3) The term 'designated agency' means the State or local human resources agency designated by the clerk in his order to prepare, cause to be prepared, or assemble a multidisciplinary evaluation and to perform other functions as the clerk may order. A designated agency includes, without limitation, State, local, regional or area mental health, mental retardation, vocational rehabilitation, ~~public health~~, social service, and developmental disabilities agencies, and diagnostic evaluation centers."

Sec. 3. This act is effective upon ratification and applies to guardianship appointments by the clerk on or after that date.