

FSGA 2025 SESSION LEGISLATIVE UPDATE

FSGA WORKING FOR YOU IN TALLAHASSEE



In this special bulletin:

The latest legislative updates impacting guardianship, key policy changes, and how FSGA is advocating on your behalf in Tallahassee.



HB 407 – Guardianship of Property by Rep. Caruso (and SB 1806 by Sen. Yarborough):

- This proposal aims to change the filings of the accounting from annual to instead be on a quarterly basis. ***That's right 4 times a calendar or anniversary year!***
 - Also, it will require a copy of each accounting to be provided to the ward's "next of kin."
 - Another provision will require the Court to appoint an appraiser for the property (not defined) and require the guardian to maintain all the documentation compiled.
- FSGA has been at the forefront meeting directly with the legislators to address the various faults embedded starting with the unreasonable provision of quarterly accountings. Additionally, the "next of kin" portion is undefined and problematic in general. Just one example - that "kin" could be the "exploiter/abuser."

Because of meetings with FSGA members, the legislators are now thankfully more understanding of the consequences and have promised to work with FSGA as they revisit their proposals.

SB 1086 – Dept. of Elderly Affairs by Sen. Simon (and HB 1457 by Rep. Rizo):

- Amazingly this one is even more onerous than the previous legislative bill noted since this has numerous provisions being proposed and more than can be itemized here.
- For starters, the legislation aims to increase the blanket fiduciary bond from \$50,000 to \$250,000 !!!
- There are several other provisions adding burdens and complexities throughout its 51 pages often creating problems unnecessarily while others are simply unclear.

→ FSGA has been meeting with Dept. of Elder Affairs over the last few weeks since the bill was first published. As a result, the Department has been receptive and acknowledges the many problems indicating there will be changes. Yet though, alternative language has not been forthcoming.



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CS/SB 106 – Exploitation of Vulnerable Adults by Sen. Martin (and HB 97 by Rep. Steele)

- Creates a simplified process for an injunction to protect a vulnerable adult from exploitation.
- This may be used to stop a proposed or initiated transfer of funds or property from a vulnerable adult to an unascertainable person.

→ The proposal was initiated by the Elder Law Section and which FSGA fully supports as it increases the protections. Important to note, FSGA stepped in early in the process to help fix a flaw in the language as drafted by the Elder Law Section.



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Dr. Leonard R. Hock, DO,
MACOI, CMD, FAAHPM



Enrique Zamora, Esq.



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