



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5090

Introduced 1/29/2010, by Rep. Daniel V. Beiser

SYNOPSIS AS INTRODUCED:

755 ILCS 5/11-19 new

Amends the Probate Act of 1975. Provides that a petition or motion to terminate a guardianship of a minor may be filed by a parent, adoptive parent, or adjudicated parent, whose parental rights have not been terminated; or any other person having standing to commence a child custody proceeding under the Illinois Marriage and Dissolution of Marriage Act, in conjunction with a petition for custody commenced under that Act. The Court shall decide a petition or motion to terminate a guardianship of a minor in accordance with the best interest of the minor and shall consider all relevant factors, including all factors enumerated in the Illinois Marriage and Dissolution of Marriage Act.

LRB096 18834 AJ0 34220 b

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 adding
5 Section 11-19 as follows:

6 (755 ILCS 5/11-19 new)

7 Sec. 11-19. Termination of guardianship.

8 (a) A petition or motion to terminate a guardianship of a
9 minor may be filed by:

10 (1) a parent, adoptive parent, or adjudicated parent,
11 whose parental rights have not been terminated; or

12 (2) any other person having standing to commence a
13 child custody proceeding under subsection (b) of Section
14 601 of the Illinois Marriage and Dissolution of Marriage
15 Act, in conjunction with a Petition for Custody commenced
16 under that Act.

17 The Court shall decide a petition or motion to terminate a
18 guardianship of a minor in accordance with the best interest of
19 the minor and shall consider all relevant factors, including
20 all factors enumerated in subsection (a) of Section 602 of the
21 Illinois Marriage and Dissolution of Marriage Act.