

Date of Hearing: August 5, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 561 (Blakespear) – As Amended July 2, 2026

Policy Committee: Judiciary

Vote: 12 - 0

Urgency: No

State Mandated Local Program: Yes

Reimbursable: Yes

SUMMARY:

This bill requires a county public guardian to acknowledge receipt of a referral for conservatorship or guardianship, requires the public guardian's investigation to conclude within a reasonable period of time, and requires the public guardian to inform the referring party of the status of the investigation upon request.

Specifically, this bill:

- 1) Requires the public guardian to acknowledge receipt of a referral for conservatorship or guardianship, and requires the investigation, which under existing law must begin within two business days of the referral, to conclude within a reasonable period of time.
- 2) Requires, for referrals for conservatorship, the investigation to include a determination of whether or not a temporary or general conservatorship is warranted, and requires the public guardian to inform the referring party of the status of the investigation upon request.

FISCAL EFFECT:

Minor reimbursable state-mandated local costs to county public guardian offices to acknowledge receipt of referrals, make the specified determination as part of investigations, and respond to status requests from referring parties, subject to a determination by the Commission on State Mandates. These duties are administrative additions to the investigation existing law already requires, and any costs to an individual county are likely to be minor.

COMMENTS:

- 1) **Purpose.** According to the author:

Current law requires a public guardian to begin an investigation within two business days, but it does not say when that investigation should be completed or require basic status updates to the person or agency that made the referral. SB 561 closes that gap by requiring the public guardian to acknowledge the referral, complete the investigation within a reasonable period of time, and provide investigation status information to referring parties upon request.

- 2) **Background.** When an adult cannot manage their personal or financial affairs and no family member or other trusted person is qualified and willing to serve as conservator, or when a

minor needs a guardian, the person may be referred to the county office of the Public Guardian, which is required to apply for appointment where there is an imminent threat to the person's health, safety, or estate and no one else can serve. Existing law requires the public guardian to begin an investigation within two business days of receiving a referral, but sets no requirement that the investigation conclude or that the referring party receive any communication about the referral's status.

In its prior form, this bill would have required investigations to conclude within 15 business days absent good cause and would have required cross-referrals between probate and Lanterman-Petris-Short (LPS) Act conservatorship investigations. County public guardians opposed those provisions as unworkable, contending that conservatorship investigations require locating relatives, investigating assets, assessing alternatives, and securing legally sufficient capacity declarations, and that public guardians are not among the entities authorized to refer matters for LPS conservatorship. The prior committee amendments struck the fixed timeline and cross-referral provisions in favor of the acknowledgment, reasonable-period, determination, and status-update requirements described above. It is unclear whether the bill still has opposition following these amendments.

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