

HB99 INTRODUCED



1 HB99
2 ZQ9XBRW-1
3 By Representative Brinyark
4 RFD: Children and Senior Advocacy
5 First Read: 13-Jan-26
6 PFD: 06-Jan-26



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4 SYNOPSIS:

5 This bill would establish the Guardianship Bill
6 of Rights to provide adults with guardians certain
7 rights relating to access to justice, core human
8 rights, and decision-making.

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11 A BILL

12 TO BE ENTITLED

13 AN ACT

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15 Relating to adults with guardians; to establish the
16 Guardianship Bill of Rights; to provide adults with guardians
17 certain rights relating to access to justice, core human
18 rights, and decision-making.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. (a) This section shall be known and may be
21 cited as the Guardianship Bill of Rights.

22 (b) For the purposes of this section, the following
23 terms have the following meanings:

24 (1) ADULT. An individual who has reached the age of
25 majority pursuant to Section 26-1-1, Code of Alabama 1975.

26 (2) GUARDIAN. The same meaning as Section 26-2A-20,
27 Code of Alabama 1975.

28 (c) Each adult with a guardian has the right to access

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29 justice, which includes the right of each adult with a
30 guardian to:

31 (1) Maintain all rights that the court has not granted
32 to the adult's guardian;

33 (2) A lawyer who advocates for the outcome that the
34 adult desires;

35 (3) Be present and participate in all court hearings
36 relating to the adult;

37 (4) Inform the court of the adult's concerns or
38 complaints about the adult's guardianship or guardian;

39 (5) Ask the court to review whether to change,
40 continue, or end the adult's guardianship and to review
41 whether the guardian is right for the adult;

42 (6) If there is a question about the adult's capacity
43 to exercise a specific right, have a qualified person evaluate
44 the adult's abilities and whether some or all of the adult's
45 rights should be restored;

46 (7) Support and accommodations as necessary to
47 effectively communicate with the court and to understand court
48 proceedings; and

49 (8) Have the adult's rights explained in the method of
50 communication and in the language that the adult chooses.

51 (d) Each adult with a guardian retains core human
52 rights, including the right of each adult with a guardian to:

53 (1) Be treated with dignity and respect;

54 (2) Be free from abuse, neglect, exploitation, and
55 discrimination;

56 (3) Remain as independent as possible;



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(4) Express and practice the adult's own religious preferences;

(5) Personal privacy; and

(6) Humane, safe, and sanitary living, learning, and working environments.

(e) Each adult with a guardian retains decision-making rights, including the right to:

(1) A competent guardian who advocates for and respects the adult's goals, needs, preferences, and desires, including but not limited to those relating to medical treatment, cultural practices, and religious beliefs;

(2) Fully participate in all decisions to the extent that the adult desires to and is able to be involved, especially those decisions affecting the adult's care, living situation, activities, and social interactions;

(3) Receive necessary services and rehabilitation in the least restrictive conditions, within available resources and which protect the adult's personal privacy;

(4) Have the adult's guardian prudently manage the adult's resources;

(5) Fully participate in decisions relating to the management of the adult's property, to the extent that the adult desires to and is able to be involved; and

(6) Keep confidential those matters that the adult wishes to keep confidential, unless that information is necessary to: (i) obtain services; (ii) prevent abuse, neglect, or exploitation; or (iii) modify the adult's guardianship order.



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85 (f) The rights provided in this section are together
86 with, and in addition to, the rights of an adult with a
87 guardian otherwise provided by the law.

88 Section 2. This act shall become effective on October
89 1, 2026.