

House Bill 1097

By: Representatives Smyre of the 135th, Buckner of the 137th, Smith of the 133rd, Smith of the 134th, and Hugley of the 136th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 5 of Title 30 of the Official Code of Georgia Annotated, relating to
2 protection of disabled adults and elder persons, so as to create the Elder Financial
3 Exploitation Task Force; to provide for membership and duties; to provide a termination
4 date; to provide for automatic repeal; to provide for related matters; to repeal conflicting
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 5 of Title 30 of the Official Code of Georgia Annotated, relating to protection of
9 disabled adults and elder persons, is amended by designating the existing provisions of said
10 chapter as Article 1 and by adding thereafter a new article to read as follows:

11 "ARTICLE 2

12 30-5-20.

13 (a) There is created the Elder Financial Exploitation Task Force.

14 (b) The task force shall consist of eight members as follows:

15 (1) The director of the Division of Aging Services of the Department of Human Services
16 or the director's designee;

17 (2) The commissioner of the Department of Banking and Finance or the commissioner's
18 designee;

19 (3) The chair of the Prosecuting Attorneys' Council of the State of Georgia or the chair's
20 designee;

21 (4) The director of the Consumer Protection Division of the Georgia Department of Law
22 or the director's designee;

23 (5) The director of the Georgia Bureau of Investigation or the director's designee;

24 (6) The president of the Georgia Bankers Association or the president's designee;

25 (7) The chief executive officer of the Georgia Credit Union League or the chief
 26 executive officer's designee; and

27 (8) The president of the Georgia Health Care Association or the president's designee.

28 (c) The task force shall be attached to the Department of Human Services for
 29 administrative purposes only as provided for in Code Section 50-4-3.

30 30-5-21.

31 (a) The director of the Division of Aging Services of the Department of Human Services
 32 or the director's designee shall call the first meeting of the task force, at which time the
 33 members shall elect a chair and vice chair.

34 (b) The chair of the task force may call on appropriate state agencies for reasonable
 35 assistance relating to the work of the task force.

36 (c) The task force shall meet as often as necessary to carry out its duties pursuant to this
 37 article.

38 30-5-22.

39 (a) The task force shall:

40 (1) Assess the current status of elder and vulnerable adults as related to financial
 41 exploitation;

42 (2) Examine the existing services and resources available to elder and vulnerable adults
 43 and any barriers to such services and resources; and

44 (3) Develop recommendations to address problems associated with the financial
 45 exploitation of elder and vulnerable adults.

46 (b) The task force shall include an examination of the following in its assessment and
 47 recommendations:

48 (1) The economic and human impact of financial exploitation of elder and vulnerable
 49 adults in this state;

50 (2) The available remedies to reduce the number of individuals suffering such
 51 exploitation;

52 (3) Legislative remedies for consideration by the General Assembly; and

53 (4) State policies or responses necessary to provide clear and coordinated services and
 54 support to protect and assist elder and vulnerable adults from financial exploitation.

55 (c) The task force shall hold public meetings and utilize technological means, such as
 56 webcasts, to gather information regarding its recommendations from the general public,
 57 including persons and families affected by poverty.

58 (d) The task force shall submit its assessment and recommendations to the governor and
59 the general assembly in the form of a state plan to combat the abuse of elder and vulnerable
60 adults no later than January 15, 2022.

61 30-5-23.

62 (a) The commission shall terminate on January 16, 2022.

63 (b) This article shall stand repealed on January 16, 2022, unless reauthorized by the
64 General Assembly prior to such date."

65 **SECTION 2.**

66 All laws and parts of laws in conflict with this Act are repealed.