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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 438 Session of  
2023

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INTRODUCED BY DEASY, CIRESI, MADDEN, HILL-EVANS, BURGOS,  
GALLOWAY, D. WILLIAMS, NEILSON, FREEMAN AND N. NELSON,  
MARCH 15, 2023

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REFERRED TO COMMITTEE ON AGING AND OLDER ADULT SERVICES,  
MARCH 15, 2023

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AN ACT

1 Amending the act of November 6, 1987 (P.L.381, No.79), entitled  
2 "An act relating to the protection of the abused, neglected,  
3 exploited or abandoned elderly; establishing a uniform  
4 Statewide reporting and investigative system for suspected  
5 abuse, neglect, exploitation or abandonment of the elderly;  
6 providing protective services; providing for funding; and  
7 making repeals," in preliminary provisions, further providing  
8 for definitions.

9 The General Assembly of the Commonwealth of Pennsylvania  
10 hereby enacts as follows:

11 Section 1. The definition of "exploitation" in section 103  
12 of the act of November 6, 1987 (P.L.381, No.79), known as the  
13 Older Adults Protective Services Act, is amended to read:

14 Section 103. Definitions.

15 The following words and phrases when used in this act shall  
16 have the meanings given to them in this section unless the  
17 context clearly indicates otherwise:

18 \* \* \*

19 "Exploitation." An act or course of conduct by a caretaker  
20 or other person, including an individual who is acting under a

1 power of attorney, against an older adult or an older adult's  
2 resources, without the informed consent of the older adult or  
3 with consent obtained through misrepresentation, coercion or  
4 threats of force, that results in monetary, personal or other  
5 benefit, gain or profit for the perpetrator or monetary or  
6 personal loss to the older adult.

7 \* \* \*

8 Section 2. This act shall take effect in 60 days.