

**Department of Planning and Budget
2017 Fiscal Impact Statement**

1. Bill Number: HB 1945

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Christopher K. Peace

3. Committee: Appropriations

4. Title: Adult exploitation; broadens definition for purposes of social services law

5. Summary: The substitute bill legislation changes the definition of "adult exploitation" for the purposes of social services laws (adults as defined in §63.2-1603) to include the unauthorized, improper, or fraudulent use of an adult or his funds, property, benefits, or other assets for another's benefit or that deprives the adult of his rightful use of or access to such funds, property, benefits, or other assets. The substitute provides that "adult exploitation" includes (i) an intentional breach of a fiduciary obligation to an adult to his detriment or a failure to use the financial resources of an adult in a manner that results in neglect of such adult; (ii) the acquisition, possession, or control of an adult's financial resources or property through the use of undue influence, coercion, harassment, or duress; and (iii) forcing or coercing an adult to pay for goods or services or perform services against his will for another's profit, benefit, or advantage if the adult did not agree, or was tricked, misled, or defrauded into agreeing, to pay for such goods or services or to perform such services. The bill also broadens the definition of "financial institution staff" for the purposes of protecting aged or incapacitated adults to include any employee, agent, qualified individual, or representative of a bank, trust company, savings institution, loan association, consumer finance company, credit union, investment company, investment advisor, securities firm, accounting firm, or insurance company.

6. Budget Amendment Necessary: No

7. No Fiscal Impact

8. Fiscal Implications: The substitute bill now limits the definition of "adult exploitation" to adults as defined by §63.2-1603, Code of Virginia. As such, adult protective services investigations of adult exploitation will be limited to the population currently served; individuals over 60 years old and those incapacitated adults over the age of 18. Therefore, the substitute bill is not expected to have any significant fiscal impact.

9. Specific Agency or Political Subdivisions Affected:

Department of Social Services
Department of Aging and Rehabilitative Services
Local Departments of Social Services

10. Technical Amendment Necessary: No

11. Other Comments: None

Date: 2/1/17