

## **Department of Planning and Budget**

### **2019 Fiscal Impact Statement**

**1. Bill Number:** HB 1987

<b>House of Origin</b>	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input checked="" type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron:** Toscano, David J.

**3. Committee:** -

**4. Title:** Aged or incapacitated adults; financial exploitation, authority to refuse transactions

**5. Summary:** The substitute bill allows financial institution staff to refuse to execute a transaction, delay a transaction, or refuse to disburse funds if the financial institution staff (i) believes in good faith that the transaction or disbursement may involve, facilitate, result in, or contribute to the financial exploitation of an adult or (ii) makes, or has actual knowledge that another person has made, a report to the local department or adult protective services hotline stating a good faith belief that the transaction or disbursement may involve, facilitate, result in, or contribute to the financial exploitation of an adult. The financial institution and its staff are immune from civil or criminal liability for refusing or not refusing to execute a transaction, delaying or not delaying a transaction, refusing or not refusing to disburse funds, or making or declining to make a report to the local department or the adult protective services hotline in good faith pursuant to the provisions of the bill. The authority of a financial institution staff to refuse to execute a transaction, to delay a transaction, or to refuse to disburse funds pursuant to the provisions of the bill are not be contingent upon whether financial institution staff has reported suspected financial exploitation of the adult.

**6. Budget Amendment Necessary:** No

**7. No Fiscal Impact**

**8. Fiscal Implications:** This bill is not expected to have any significant fiscal impact on affected state agencies. Further, local departments of social services already receive reports of suspected exploitation of aged or incapacitated adults and the proposal is not expected to significantly increase those numbers.

**9. Specific Agency or Political Subdivisions Affected:**

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

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None