



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 1429

PRINTERS NO. 1902

PRIME SPONSOR: Schlegel Culver

COST / (SAVINGS)

FUND	FY 2020/21	FY 2021/22
General Fund	\$0	See Fiscal Impact

SUMMARY: House Bill 1429 amends the Crimes Code (Title 18) concerning financial exploitation of an older adult or care-dependent person. It would take effect in 60 days.

ANALYSIS: House Bill 1429 adds a new section to the Crimes Code providing for the offense of financial exploitation of an older adult or care-dependent person. The offense is defined as a person in a position of trust who wrongfully or without authorization takes or attempts to take money, assets, or property from an older adult or care-dependent person. The offense is graded as follows:

- If the amount involved is at least \$500,000 or the perpetrator participated in a course of conduct resulting in the loss of property of two or more older adults or care-dependent persons, it is a felony of the first degree, punishable by a fine of up to \$25,000 and a prison term of not more than 20 years.
- If the amount involved is at least \$100,000 but less than \$500,000, it is a felony of the second degree, punishable by a fine of up to \$25,000 and a prison term of not more than 10 years.
- If the amount involved exceeds \$2,000 but is less than \$100,000, it is a felony of the third degree, punishable by a fine of up to \$15,000 and a prison term of not more than 7 years.
- In all other cases, it is a misdemeanor of the first degree, punishable by a fine of up to \$10,000 and a prison term of up to 5 years.

This legislation also clarifies that district attorneys have the right to investigate and institute criminal proceedings for any violation of this new section and grants the Attorney General's office concurrent jurisdiction if the amount exceeds \$20,000.

FISCAL IMPACT: By creating a new crime, House Bill 1429 could have a fiscal impact on the state by increasing the prison population. However, data are not available to estimate the extent of that impact.

PREPARED BY: Jeff Miller
House Appropriations Committee (R)

DATE: June 25, 2021

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.