

House Bill 402

By: Representatives Gaines of the 117th, Cooper of the 43rd, Petrea of the 166th, Wiedower of the 119th, Dempsey of the 13th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 5 of Title 30 of the Official Code of Georgia Annotated, relating to the
2 protection of disabled adults and elder persons, so as to include abuse and neglect in the
3 items to be reported by a financial institution; to provide for related matters; to provide for
4 an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Chapter 5 of Title 30 of the Official Code of Georgia Annotated, relating to the protection
8 of disabled adults and elder persons, is amended by revising subparagraph (a)(1)(B) of Code
9 Section 30-5-4, relating to reporting of need for protective services, manner and contents of
10 report, immunity, and privileged communications, as follows:

11 "(B) Any employee of a financial institution or investment company having reasonable
12 cause to believe that a disabled adult or elder person has been ~~exploited~~ or is currently
13 the victim of abuse, neglect, or exploitation shall report or cause reports to be made in
14 accordance with the provisions of this Code section; provided, however, that this
15 obligation shall not apply to any employee of a financial institution or investment
16 company while that employee is acting as a fiduciary, but only for such assets that the
17 employee is holding or managing in a fiduciary capacity."

18 **SECTION 2.**

19 This Act shall become effective on July 1, 2019.

20 **SECTION 3.**

21 All laws and parts of laws in conflict with this Act are repealed.