

House Bill 402

By: Representatives Gaines of the 117<sup>th</sup>, Cooper of the 43<sup>rd</sup>, Petrea of the 166<sup>th</sup>, Wiedower of the 119<sup>th</sup>, Dempsey of the 13<sup>th</sup>, 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 style="text-align:center">**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 style="text-align:center">**SECTION 2.**

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

20 style="text-align:center">**SECTION 3.**

21 All laws and parts of laws in conflict with this Act are repealed.