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Florida Attorney General's Office News Release

Legislation Unveiled to Strengthen Senior Protection in Fla.



TALLAHASSEE, Fla.—Attorney General Ashley Moody, Sen. Danny Burgess and Rep. Colleen Burton today announced legislation to strengthen senior protection in Florida. Attorney General Moody, Sen. Burgess and Rep. Burton worked closely with the Elder Law Section of the Florida Bar to craft this legislation. With more than 5 million seniors living in Florida, the state enjoys a stellar reputation as an ideal place to retire. Sadly, criminals often concoct schemes to abuse positions of trust to isolate and exploit seniors in an effort to siphon retirement funds, steal inheritances or even neglect their physical needs.

Attorney General Ashley Moody said, “Scammers often target older Floridians thinking their crimes will go unnoticed or unreported. The abuse of a position of trust that causes significant financial or physical harm to a senior is not just a civil matter, it can be criminal and should be prosecuted. As Attorney General, I am dedicated to protecting our great seniors and ensuring that criminals who target them are brought to justice. To better accomplish this important goal, we must strengthen our laws to ensure none of these criminals evade responsibility for their devious actions.

“I know Senator Burgess and Representative Burton are persistently committed to this vital mission of protecting our seniors, and I am excited to work with them this session to bolster our ongoing efforts to hold accountable anyone targeting vulnerable populations.”

Senator Danny Burgess said, “Protecting our most vulnerable population has and always will be a top priority for me. This great bill ensures that their assets are taken care of and I am honored to work alongside Attorney General Ashley Moody and Representative Colleen Burton to combat and prevent these inexcusable crimes.”

Representative Colleen Burton said, “I am proud to sponsor HB 1041, Protection of Elderly Persons and Disabled Adults, and work alongside Attorney General Ashley Moody and Senator Danny Burgess to protect our vulnerable citizens. With this bill we are taking a necessary step to eliminate abuse of elderly and disabled individuals by setting limitations on who can represent them and setting guidelines on inheritance if abuse occurs. It is our responsibility to not allow our vulnerable citizens to be taken advantage of and we must take action now.”

SB 1344 and HB 1041 aim to strengthen senior protection in Florida by expanding the jurisdiction of Attorney General Moody’s Office of Statewide Prosecution to include specified authority over crimes against elderly persons and disabled adults as outlined in Chapter 825, Florida State Statutes. The legislation also provides additional methods of proving abuse and exploitation of an elderly person or disabled adult by criminalizing the intentional isolation of vulnerable adults from family members. This senior protection enhancement would provide law enforcement and prosecutors with the authority to intervene prior to irreversible physical harm or financial loss that the isolation is designed to facilitate or conceal.

Additionally, the bill criminalizes the previously uncharged conduct of an exploiter who changes the terms of the will or trust of a vulnerable adult in order to benefit the exploiter or a co-conspirator. Statutory changes sought in the bill would forfeit inheritances under a will, through a trust, through joint tenancy or contractual arrangements for a person convicted of abuse, neglect, exploitation or aggravated manslaughter. The bill also expands who may file an injunction for protection for exploitation of a vulnerable adult and extends the time of a temporary injunction to up to 45 days.

To read the legislation, click here.

Protecting seniors is one of Attorney General Moody’s top priorities. Soon after assuming office, Attorney General Moody assembled Florida’s Senior Protection Team—an intra-agency group of experts working with law enforcement and outside organizations to fight fraud targeting older Floridians.

Attorney General Moody also serves as Co-Chair of the National Association of Attorneys General’s Elder Justice Committee.

For more on the committee, click here.

To report instances of scams against senior citizens, or non-emergency instances of senior exploitation, call 1(866) 9NO-SCAM, or click here to file a complaint.

In case of an emergency, please call 911.