

1 SB427  
2 138047-1  
3 By Senator Irons  
4 RFD: Banking and Insurance  
5 First Read: 20-MAR-12

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8 SYNOPSIS: Under existing law, a physician or other  
9 practitioner of the healing arts, or any caregiver  
10 with reasonable cause to believe that an elderly or  
11 disabled adult has been subjected to exploitation  
12 must report or cause a report to be made in  
13 accordance with Alabama's mandatory reporter  
14 provision.

15 This bill would allow any officer, trustee,  
16 or employee of a financial institution with  
17 reasonable cause to believe that an elderly or  
18 disabled adult has been subjected to financial  
19 exploitation to report or cause a report to be made  
20 to the appropriate law enforcement agency.

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22 A BILL  
23 TO BE ENTITLED  
24 AN ACT  
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26 To authorize any officer, trustee, or employee of a  
27 financial institution with reasonable cause to believe that an

1 elderly or disabled adult has been subjected to financial  
2 exploitation to report or cause a report to be made to law  
3 enforcement authorities and to provide immunity for any  
4 officer, trustee, or employee who makes a report or causes a  
5 report to be made.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7 Section 1. (a) As used in this section, a financial  
8 institution means any bank, savings and loan association, or  
9 credit union.

10 (b) Any officer, trustee, or employee of a financial  
11 institution having reasonable cause to believe that any  
12 protected person has been subjected to financial exploitation  
13 may report or cause a report to be made to the appropriate law  
14 enforcement agency.

15 (c) Any officer, trustee, or employee of a financial  
16 institution who, in good faith, reports or causes a report to  
17 be made in accordance with subsection (b) shall not be liable  
18 for civil damages as a result of his or her act or omission in  
19 making or causing the report to be made, unless the act or  
20 omission was a result of the officer, trustee, or employee's  
21 willful or wanton misconduct.

22 Section 2. This act shall become effective on the  
23 first day of the third month following its passage and  
24 approval by the Governor, or its otherwise becoming law.