



Maryland Retired School Personnel Association

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House Bill 320 /Senate Bill 702

In Support Of

Criminal Law - Exploitation of Vulnerable Adult or Elderly Individual - Undue Influence

House Judiciary Committee

Hearing: February 4, 2020 at 1:00 p.m.

Senate Judicial Proceedings Committee

Hearing: February 20, 2020 at 12:00 p.m.

The Legislative Committee of the Maryland Retired School Personnel Association (MRSPA) requests a favorable report on House Bill 320/Senate Bill 702 Criminal Law - Exploitation of Vulnerable Adult or Elderly Individual - Undue Influence.

We agree that this legislation positively impacts MRSPA Legislative Priorities #5 and #7, which support the safety of vulnerable adults and seniors, and protection from scams and other types of fraud. The legislation alters the definition of "undue Influence" for purposes of provisions of law prohibiting the exploitation of certain vulnerable adults or individuals at least 68 years old; requiring a court to determine whether a transfer of property was induced by undue influence and to consider certain factors.

The newly added Section 8-801 6(i)(a) specifically defines undue influence. Section G, also newly added, details the factors to be considered by the court in determining whether property was obtained by undue influence and the equity of the result. This additional text further helps to define the severity of the crime. House Bill 302 currently describes the consequences of such actions.

On behalf of the almost 14,000 members of the Maryland Retired School Personnel Association, we request a favorable vote on HB 320/SB 702.

Sincerely,

Ann Marie Downey
President

Virginia Crespo
Legislative Aide