
To: Members of The Senate Judicial Proceedings Committee

From: Richard A. Montgomery III, MSBA Director of Legislative Relations

Date: February 2, 2021

Subject: **SB 327, Civil Action- Financial Exploitation of Vulnerable Adults (Maryland Safe Act)**

Position: **Support**

The Maryland State Bar Association (MSBA) **Supports SB 327, Civil Action- Financial Exploitation of Vulnerable Adults (Maryland Safe Act).**

Senate Bill 327 would create a new civil cause of action in Title 13 of the Estates and Trusts Article of the Maryland Code. Under the bill, a victim or representative of a vulnerable adult may pursue a claim based on financial exploitation in addition to any other available claims that are cumulative with other lawful and administrative damages. Further, this new cause of action can also be filed after the death of the vulnerable adult.

The MSBA has observed that as our population ages, the opportunity to exploit older people who struggle with the activities of daily living will increase. As articulated in SB 327, one of the purposes of this legislation is to provide a path to redress financial exploitation through the recovery of property and assets taken from victims while discouraging protracted litigation. We believe that the provisions of SB 327 offer a new deterrent to exploitation of vulnerable adults, as well as an avenue to make-whole relief when such abuse does occur.

For the reasons stated above, the MSBA **supports SB 327 and urges a favorable committee report.** Should you have any questions, please contact Richard Montgomery, MSBA Legislative Director at (410)-269-6464.