

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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SENATE BILL 449*

Short Title: Task Force on Fraud Against Older Adults. (Public)

Sponsors: Senators Bingham; Allran, Atwater, Blake, Brunstetter, Forrester, Newton, Preston, Rabon, and Stevens.

Referred to: Health Care.

March 30, 2011

A BILL TO BE ENTITLED
AN ACT TO DIRECT THE CONSUMER PROTECTION DIVISION, DEPARTMENT OF JUSTICE, TO COORDINATE A TASK FORCE ON FRAUD AGAINST OLDER ADULTS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

Whereas, the Federal Trade Commission reports that North Carolina ranks 24th among the 50 states in the number of fraud complaints per capita and 21st in the number of identity theft complaints per capita; and

Whereas, the Federal Trade Commission reports that, for 2008, consumers over age 50 account for 26% of identity theft complaints and 30% of fraud complaints; and

Whereas, the March 2010 North Carolina Center for Public Policy Research publication on issues involving older adults contained a segment that highlighted issues involving fraud against older adults in North Carolina; Now, therefore, The General Assembly of North Carolina enacts:

SECTION 1.(a) The Consumer Protection Division, Department of Justice, shall coordinate a Task Force on Fraud Against Older Adults. The Task Force shall include representatives from the Consumer Protection Division, Department of Justice; Division of Aging and Adult Services, Department of Health and Human Services; North Carolina Senior Consumer Fraud Task Force; North Carolina Association of County Directors of Social Services; the Banking Commission; and other associations as approved by the Consumer Protection Division.

SECTION 1.(b) The Task Force shall include, but should not be limited to, examination of the following issues:

- (1) Identifying, clarifying, and strengthening laws to provide older adults a broader system of protection against abuse and fraud.
- (2) Establishing a statewide system to enable reporting on incidents of fraud and mistreatment of older adults.
- (3) Identifying opportunities for partnership among the Banking Commission, the financial management industry, and law enforcement agencies to prevent fraud against older adults.
- (4) Granting the Attorney General authority to initiate prosecutions for fraud against older adults.

SECTION 1.(c) The Task Force shall make an interim report to the North Carolina Study Commission on Aging on or before November 1, 2011, and a final report including findings, recommendations, and draft legislation on or before October 1, 2012.

SECTION 2. This act is effective when it becomes law.

