

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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SENATE DRS85100-SHz-2A* (01/13)

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

Sponsors: Senator Bingham.

Referred to:

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

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

9 Whereas, the Federal Trade Commission reports that, for 2008, consumers over age
10 50 account for 26% of identity theft complaints and 30% of fraud complaints; and

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

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

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

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

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



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