

Amendment No. 2 to HB1248

Hazlewood
Signature of Sponsor

AMEND Senate Bill No. 756*

House Bill No. 1248

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 45-2-1204(b), is amended by adding the following as a new subdivision:

(4) The Tennessee bureau of investigation's elder financial reporting mechanism pursuant to Section 4.

SECTION 2. Tennessee Code Annotated, Section 45-2-1204(c), is amended by designating the current language as subdivision (c)(1) and adding the following subdivision (c)(2):

(2) Notwithstanding subdivision (c)(1), the financial service provider shall provide information to aid in the investigation of suspected elder financial exploitation pursuant to Section 3.

SECTION 3. Tennessee Code Annotated, Section 45-10-103, is amended by adding the following as a new subdivision:

(17) The furnishing by a financial institution of access to, or copies of, records that are relevant to suspected, actual, or attempted financial exploitation, as defined in § 45-2-1202, to the Tennessee bureau of investigation, if a report is made pursuant to § 45-2-1204. The records provided pursuant to this subdivision (17) must be limited to records relating to the most recent transaction or transactions that may comprise financial exploitation not to exceed thirty (30) calendar days prior to the first suspected financial exploitation transaction or thirty (30) calendar days after the last suspected financial exploitation transaction.

SECTION 4. Tennessee Code Annotated, Title 38, Chapter 6, Part 1, is amended by adding the following as a new section:

(a) By no later than October 1, 2024, the Tennessee bureau of investigation shall create an elder financial exploitation reporting mechanism that accepts reports from financial institutions as described in § 45-2-1204(b).

(b) Upon receiving a report of suspected elder financial exploitation, the bureau shall coordinate with the district attorney general in the appropriate judicial district and, when appropriate, with other law enforcement agencies and adult protective services for additional investigation of the reported exploitation. The bureau may share appropriate information with the district attorney general, other law enforcement agencies, and adult protective services to aid in the investigation of the reported exploitation.

SECTION 5. Sections 1 through 3 of this act take effect October 1, 2024, the public welfare requiring it. Section 4 of this act takes effect upon becoming a law, the public welfare requiring it.