

The 194th General Court of the Commonwealth of Massachusetts

2025-2026

Bill Summary

Bill No: H1270

Title: An Act protecting seniors and adults with disabilities from financial exploitation

Sponsor: Representative James M. Murphy

Committee: Financial Services

Hearing Date: April 15th, 2025

Reporting Date: June 14th, 2025

Similar Matters:

Prior History: H4124 (2023-2024) Favorable

Current Law:

Creates a new Chapter (110I) with the following sections below:

Summary:

This bill, Chapter 110I, is designed to address and combat financial exploitation of seniors (aged 60 or older) and adults with disabilities in the Commonwealth. It includes the following key provisions:

Section 1: Definitions

- Provides definitions for important terms used in the bill, including "Adult protective services agency," "Agent," "Eligible adult," "Financial exploitation," "Financial institution," "Investment adviser representative," "Qualified individual," and "Secretary."

Section 2: Reporting Suspected Financial Exploitation

- Mandates that qualified individuals (such as agents, investment adviser representatives, bank employees, or those in supervisory, compliance, or legal roles in financial institutions) must promptly notify the Secretary and relevant adult protective services agencies if they have reasonable cause to believe financial exploitation of an eligible adult has occurred, is attempted, or is ongoing.

Section 3: Notification Procedure

- Outlines the procedure for notification, which must be done through written communication or forms issued by the Secretary.

- Specifies the information to be included in the notification, such as the eligible adult's details, caretaker's information, age, extent of potential harm, and other relevant information.

Section 4: Third-Party Notification

- Allows qualified individuals to notify third parties designated by the eligible adult about suspected financial exploitation.
- Prohibits notification to designated third parties suspected of participating in the financial exploitation or abuse of the eligible adult.

Section 5: Delaying Disbursement or Transaction

- Grants financial institutions the authority to delay disbursements or transactions involving eligible adults if there is reasonable cause to suspect financial exploitation.
- Requires immediate notification to authorized parties, the Secretary, and adult protective services agencies.
- Sets time limits for the authorization of delay and allows for extensions through court orders.

Section 6: Providing Access to Records

- Requires financial institutions to provide access to or copies of relevant records related to suspected financial exploitation to authorized authorities.
- Clarifies that these records are not public and cannot be examined by the public.

Section 7: Preservation of Existing Authority

- Ensures that the bill does not limit the Secretary's existing authority to access and examine the records of broker-dealers or investment advisers or conduct lawful investigations as provided by law.

Section 8: Immunity and Liability

- Provides immunity to qualified individuals who act in good faith and with reasonable care while complying with this chapter.
- Notes that this immunity does not protect qualified individuals from administrative or civil liability for participating in or materially aiding the financial exploitation of an eligible adult.
- Allows eligible adults or their representatives to file civil claims for damages in court against individuals suspected of participating in financial exploitation.

The purpose of this bill aims to protect vulnerable seniors and adults with disabilities from financial exploitation by outlining reporting procedures, granting authority to delay transactions when necessary, and providing legal safeguards for individuals acting in good faith to prevent or address financial exploitation.