

BILL SUMMARY
1st Session of the 59th Legislature

Bill No.:	HB 2741
Version:	Introduced
Request Number:	5686
Author:	Rep. Duel
Date:	2/22/2023
Impact:	Please see previous summary of this measure

Research Analysis

HB 2741, as introduced, establishes the Oklahoma Elder Exploitation and Abuse Act which establishes a civil action for incapacitated persons and vulnerable adults against those who neglect, exploit, or abuse them.

The measure defines the terms incapacitated person, vulnerable adult, caretaker, abuse, exploitation or exploit, financial neglect, neglect, personal degradation, sexual abuse, indecent exposure, sexual exploitation, and verbal abuse.

The measure allows for claims of elder neglect, exploitation, or abuse to be filed in any district court within the county that the vulnerable adult lives, maintains their residence, or was living at the time of the act or omission addressed in the claim. Claims may be brought by the vulnerable adult or on their behalf by a guardian, limited guardian, conservator, agent under an appropriate power of attorney, duly appointed representative of the estate of the vulnerable adult if deceased, or another legal representative approved by the court.

The measure holds that anyone who is found guilty of committing neglect or financial neglect against a vulnerable adult will be liable for actual damages in an amount that compensates the vulnerable adult for the loss they incurred as a result. Anyone who is found guilty of committing exploitation or abuse of a vulnerable adult will be liable for damages three times the actual damages incurred by the individual. In both cases, the guilty party will also be liable for punitive damages.

The measure also allows for the district court in which a claim is filed to issue a restraining order or other injunctive relief to prohibit any further violations.

Prepared By: Matthew Brenchley

Fiscal Analysis

The measure is currently under review and impact information will be completed.

Prepared By: House Fiscal Staff

Other Considerations

None.

