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CS/HB 1041, Engrossed 1

2021 Legislature

1
2 An act relating to protection of elderly persons and
3 disabled adults; amending s. 16.56, F.S.; adding
4 offenses concerning elderly persons and disabled
5 adults to the authority of the Office of Statewide
6 Prosecution; amending s. 733.303, F.S.; providing that
7 a person who has been convicted of abuse, neglect, or
8 exploitation of an elderly person or a disabled adult
9 is not qualified to act as a personal representative;
10 creating s. 732.8031, F.S.; providing for forfeiture
11 of specified benefits of persons who have been
12 convicted of certain offenses involving elderly
13 persons or disabled adults; providing that certain
14 persons who have been convicted of certain offenses
15 involving elderly persons or disabled adults may still
16 retain an inheritance, survivorship rights, other
17 rights, or a trust interest if the victim executes a
18 specified instrument; amending s. 736.1104, F.S.;
19 providing that a beneficiary of a trust may not
20 benefit under the trust if the person was convicted of
21 certain offenses involving elderly persons or disabled
22 adults; amending s. 825.101, F.S.; defining terms;
23 amending s. 825.102, F.S.; specifying additional
24 conduct that constitutes abuse of an elderly person or
25 a disabled adult; providing a defense to certain

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26 | violations; providing criminal penalties; amending s.
 27 | 825.103, F.S.; specifying additional conduct that
 28 | constitutes exploitation of an elderly person or a
 29 | disabled adult; providing criminal penalties; amending
 30 | s. 825.1035, F.S.; revising provisions concerning
 31 | injunctions for protection against exploitation of a
 32 | vulnerable adult; providing for extension of ex parte
 33 | temporary injunctions; providing an effective date.
 34 |

35 | Be It Enacted by the Legislature of the State of Florida:
 36 |

37 | Section 1. Paragraph (a) of subsection (1) of section
 38 | 16.56, Florida Statutes, is amended to read:

39 | 16.56 Office of Statewide Prosecution.—

40 | (1) There is created in the Department of Legal Affairs an
 41 | Office of Statewide Prosecution. The office shall be a separate
 42 | "budget entity" as that term is defined in chapter 216. The
 43 | office may:

44 | (a) Investigate and prosecute the offenses of:

45 | 1. Bribery, burglary, criminal usury, extortion, gambling,
 46 | kidnapping, larceny, murder, prostitution, perjury, robbery,
 47 | carjacking, home-invasion robbery, and patient brokering;

48 | 2. Any crime involving narcotic or other dangerous drugs;

49 | 3. Any violation of the Florida RICO (Racketeer Influenced
 50 | and Corrupt Organization) Act, including any offense listed in

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51 the definition of racketeering activity in s. 895.02(8)(a),
 52 providing such listed offense is investigated in connection with
 53 a violation of s. 895.03 and is charged in a separate count of
 54 an information or indictment containing a count charging a
 55 violation of s. 895.03, the prosecution of which listed offense
 56 may continue independently if the prosecution of the violation
 57 of s. 895.03 is terminated for any reason;

58 4. Any violation of the Florida Anti-Fencing Act;

59 5. Any violation of the Florida Antitrust Act of 1980, as
 60 amended;

61 6. Any crime involving, or resulting in, fraud or deceit
 62 upon any person;

63 7. Any violation of s. 847.0135, relating to computer
 64 pornography and child exploitation prevention, or any offense
 65 related to a violation of s. 847.0135 or any violation of
 66 chapter 827 where the crime is facilitated by or connected to
 67 the use of the Internet or any device capable of electronic data
 68 storage or transmission;

69 8. Any violation of chapter 815;

70 9. Any violation of chapter 825;

71 10.9. Any criminal violation of part I of chapter 499;

72 11.10. Any violation of the Florida Motor Fuel Tax Relief
 73 Act of 2004;

74 12.11. Any criminal violation of s. 409.920 or s.
 75 409.9201;

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76 | ~~13.12.~~ Any crime involving voter registration, voting, or
77 | candidate or issue petition activities;

78 | ~~14.13.~~ Any criminal violation of the Florida Money
79 | Laundering Act;

80 | ~~15.14.~~ Any criminal violation of the Florida Securities
81 | and Investor Protection Act; or

82 | ~~16.15.~~ Any violation of chapter 787, as well as any and
83 | all offenses related to a violation of chapter 787;

84 |
85 | or any attempt, solicitation, or conspiracy to commit any of the
86 | crimes specifically enumerated above. The office shall have such
87 | power only when any such offense is occurring, or has occurred,
88 | in two or more judicial circuits as part of a related
89 | transaction, or when any such offense is connected with an
90 | organized criminal conspiracy affecting two or more judicial
91 | circuits. Informations or indictments charging such offenses
92 | shall contain general allegations stating the judicial circuits
93 | and counties in which crimes are alleged to have occurred or the
94 | judicial circuits and counties in which crimes affecting such
95 | circuits or counties are alleged to have been connected with an
96 | organized criminal conspiracy.

97 | Section 2. Subsection (1) of section 733.303, Florida
98 | Statutes, is amended to read:

99 | 733.303 Persons not qualified.—

100 | (1) A person is not qualified to act as a personal

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101 representative if the person:

102 (a) Has been convicted of a felony.

103 (b) Has been convicted in any state or foreign
 104 jurisdiction of abuse, neglect, or exploitation of an elderly
 105 person or a disabled adult, as those terms are defined in s.
 106 825.101.

107 (c)~~(b)~~ Is mentally or physically unable to perform the
 108 duties.

109 (d)~~(e)~~ Is under the age of 18 years.

110 Section 3. Section 732.8031, Florida Statutes, is created
 111 to read:

112 732.8031 Forfeiture for abuse, neglect, exploitation, or
 113 aggravated manslaughter of an elderly person or a disabled
 114 adult.-

115 (1) A surviving person who is convicted in any state or
 116 foreign jurisdiction of abuse, neglect, exploitation, or
 117 aggravated manslaughter of an elderly person or a disabled
 118 adult, as those terms are defined in s. 825.101, for conduct
 119 against the decedent or another person on whose death such
 120 beneficiary's interest depends is not entitled to any benefits
 121 under the will of the decedent or the Florida Probate Code, and
 122 the estate of the decedent passes as if the abuser, neglector,
 123 exploiter, or killer had predeceased the decedent. Property
 124 appointed by the will of the decedent to or for the benefit of
 125 the abuser, neglector, exploiter, or killer passes as if the

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126 | abuser, neglector, exploiter, or killer had predeceased the
127 | decedent.

128 | (a) A final judgment of conviction for abuse, neglect,
129 | exploitation, or aggravated manslaughter of the decedent or
130 | other person creates a rebuttable presumption that this section
131 | applies.

132 | (b) In the absence of a qualifying conviction, the court
133 | may determine by the greater weight of the evidence whether the
134 | decedent's or other person's death was caused by or contributed
135 | to by the abuser's, neglector's, exploiter's, or killer's
136 | conduct as defined in s. 825.102, s. 825.103, or s. 782.07(2)
137 | for purposes of this section.

138 | (2) A joint tenant who is convicted in any state or
139 | foreign jurisdiction of abuse, neglect, exploitation, or
140 | aggravated manslaughter of an elderly person or a disabled
141 | adult, as those terms are defined in s. 825.101, for conduct
142 | against another joint tenant decedent thereby effects a
143 | severance of the interest of the decedent so that the share of
144 | the decedent passes as the decedent's sole property and as if
145 | the abuser, neglector, exploiter, or killer has no rights by
146 | survivorship. This subsection applies to joint tenancies with
147 | right of survivorship and tenancies by the entirety in real and
148 | personal property; joint and multiple-party accounts in banks,
149 | savings and loan associations, credit unions, and other
150 | financial institutions; and any other form of coownership with

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151 survivorship interests.

152 (a) A final judgment of conviction for abuse, neglect,
153 exploitation, or aggravated manslaughter of the decedent or
154 other person creates a rebuttable presumption that this section
155 applies.

156 (b) In the absence of a qualifying conviction, the court
157 may determine by the greater weight of the evidence whether the
158 decedent's or other person's death was caused by or contributed
159 to by the abuser's, neglector's, exploiter's, or killer's
160 conduct as defined in s. 825.102, s. 825.103, or s. 782.07(2)
161 for purposes of this section.

162 (3) A named beneficiary of a bond, life insurance policy,
163 or other contractual arrangement who is convicted in any state
164 or foreign jurisdiction of abuse, neglect, exploitation, or
165 aggravated manslaughter of an elderly person or a disabled
166 adult, as those terms are defined in s. 825.101, for conduct
167 against the owner or principal obligee of the bond, life
168 insurance policy, or other contractual arrangement or the person
169 upon whose life such policy was issued is not entitled to any
170 benefit under the bond, policy, or other contractual
171 arrangement, and the bond, policy, or other contractual
172 arrangement becomes payable as though the abuser, neglector,
173 exploiter, or killer had predeceased the decedent.

174 (a) A final judgment of conviction for abuse, neglect,
175 exploitation, or aggravated manslaughter of the decedent or

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176 other person creates a rebuttable presumption that this section
177 applies.

178 (b) In the absence of a qualifying conviction, the court
179 may determine by the greater weight of the evidence whether the
180 decedent's or other person's death was caused by or contributed
181 to by the abuser's, neglector's, exploiter's, or killer's
182 conduct as defined in s. 825.102, s. 825.103, or s. 782.07(2)
183 for purposes of this section.

184 (4) Any other property or interest acquired as a result of
185 the abuse, neglect, exploitation, or manslaughter must be
186 returned in accordance with this section.

187 (5) (a) This section does not affect the rights of any
188 person who purchases property for value and without notice from
189 the abuser, neglector, exploiter, or killer before rights have
190 been adjudicated in accordance with this section.

191 (b) The abuser, neglector, exploiter, or killer is liable
192 for the amount of the proceeds or the value of the property
193 under paragraph (a).

194 (6) Any insurance company, financial institution, or other
195 obligor making payment according to the terms of its policy or
196 obligation is not liable by reason of this section unless more
197 than 2 business days before payment it receives at its home
198 office or principal address written notice, or in the case of a
199 financial institution it receives notice in accordance with s.
200 655.0201, of a claim under this section.

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201 (7) This section does not apply if it can be proven by
 202 clear and convincing evidence that, after the conviction of
 203 abuse, neglect, or exploitation, the victim of the offense, if
 204 capacitated, ratifies an intent that the person so convicted of
 205 abuse, neglect, or exploitation retain his or her inheritance,
 206 survivorship rights, or any other right that might otherwise be
 207 removed by this section by executing a valid written instrument,
 208 sworn to and witnessed by two persons who would be competent as
 209 witnesses to a will, which expresses a specific intent to allow
 210 the convicted person to retain his or her inheritance,
 211 survivorship rights, or any other right that might otherwise be
 212 removed by this section.

213 Section 4. Subsection (3) is added to section 736.1104,
 214 Florida Statutes, to read:

215 736.1104 Person ~~Killer~~ not entitled to receive property or
 216 other benefits by reason of victim's death.—

217 (3) A beneficiary of a trust who was convicted in any
 218 state or foreign jurisdiction of abuse, neglect, exploitation,
 219 or aggravated manslaughter of an elderly person or a disabled
 220 adult, as those terms are defined in s. 825.101, for conduct
 221 against a settlor or another person on whose death such
 222 beneficiary's interest depends is not entitled to any trust
 223 interest, including a homestead dependent on the victim's death,
 224 and such interest shall devolve as though the abuser, neglecter,
 225 exploiter, or killer had predeceased the victim.

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226 (a) A final judgment of conviction for abuse, neglect,
 227 exploitation, or aggravated manslaughter of the decedent or
 228 other person creates a rebuttable presumption that this section
 229 applies.

230 (b) In the absence of a qualifying conviction, the court
 231 may determine by the greater weight of the evidence whether the
 232 decedent's or other person's death was caused by or contributed
 233 to by the abuser's, neglector's, exploiter's, or killer's
 234 conduct as defined in s. 825.102, s. 825.103, or s. 782.07(2)
 235 for purposes of this section.

236 (c) This subsection does not apply if it can be proven by
 237 clear and convincing evidence that, after the conviction of
 238 abuse, neglect, or exploitation, the victim of the offense, if
 239 capacitated, ratifies an intent that the person so convicted of
 240 abuse, neglect, or exploitation retain a trust interest by
 241 executing a valid written instrument, sworn to and witnessed by
 242 two persons who would be competent as witnesses to a will, which
 243 expresses a specific intent to allow the convicted person to
 244 retain a trust interest.

245 Section 5. Subsections (8) through (14) of section
 246 825.101, Florida Statutes, are renumbered as subsections (10)
 247 through (16), respectively, and new subsections (8) and (9) are
 248 added to that section, to read:

249 825.101 Definitions.—As used in this chapter:

250 (8) "Improper benefit" means any remuneration or payment,

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251 by or on behalf of any service provider or merchant of goods, to
 252 any person as an incentive or inducement to refer customers or
 253 patrons for past or future services or goods.

254 (9) "Kickback" has the same meaning as in s. 456.054(1).

255 Section 6. Paragraphs (b) and (c) of subsection (1) of
 256 section 825.102, Florida Statutes, are amended, and paragraph
 257 (d) is added to that subsection, to read:

258 825.102 Abuse, aggravated abuse, and neglect of an elderly
 259 person or disabled adult; penalties.—

260 (1) "Abuse of an elderly person or disabled adult" means:

261 (b) An intentional act that could reasonably be expected
 262 to result in physical or psychological injury to an elderly
 263 person or disabled adult; ~~or~~

264 (c) Active encouragement of any person to commit an act
 265 that results or could reasonably be expected to result in
 266 physical or psychological injury to an elderly person or
 267 disabled adult; or

268 (d) Intentionally, and without lawful authority, isolating
 269 or restricting access of an elderly person or a disabled adult
 270 to family members for any length of time which could reasonably
 271 be expected to result in physical or psychological injury to the
 272 elderly person or disabled adult, or with the intent to promote,
 273 facilitate, conceal, or disguise some form of criminal activity
 274 involving the person or property of the elderly person or
 275 disabled adult. It is a defense to a violation of this paragraph

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276 | that the defendant had reasonable cause to believe that his or
 277 | her action was necessary to protect the elderly person or
 278 | disabled adult from danger to his or her welfare.

279 |
 280 | A person who knowingly or willfully abuses an elderly person or
 281 | disabled adult without causing great bodily harm, permanent
 282 | disability, or permanent disfigurement to the elderly person or
 283 | disabled adult commits a felony of the third degree, punishable
 284 | as provided in s. 775.082, s. 775.083, or s. 775.084.

285 | Section 7. Paragraphs (c), (d), and (e) of subsection (1)
 286 | of section 825.103, Florida Statutes, are amended, and paragraph
 287 | (f) is added to that subsection, to read:

288 | 825.103 Exploitation of an elderly person or disabled
 289 | adult; penalties.—

290 | (1) "Exploitation of an elderly person or disabled adult"
 291 | means:

292 | (c) Breach of a fiduciary duty to an elderly person or
 293 | disabled adult by the person's guardian, trustee who is an
 294 | individual, or agent under a power of attorney which results in
 295 | an unauthorized appropriation, sale, ~~or~~ transfer of property,
 296 | kickback, or receipt of an improper benefit. An unauthorized
 297 | appropriation under this paragraph occurs when the elderly
 298 | person or disabled adult does not receive the reasonably
 299 | equivalent financial value in goods or services, or when the
 300 | fiduciary violates any of these duties:

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- 301 1. For agents appointed under chapter 709:
- 302 a. Committing fraud in obtaining their appointments;
- 303 b. Obtaining appointments with the purpose and design of
- 304 benefiting someone other than the principal or beneficiary;
- 305 ~~c.b.~~ Abusing their powers;
- 306 ~~d.e.~~ Wasting, embezzling, or intentionally mismanaging the
- 307 assets of the principal or beneficiary; or
- 308 ~~e.d.~~ Acting contrary to the principal's sole benefit or
- 309 best interest; or
- 310 2. For guardians and trustees who are individuals and who
- 311 are appointed under chapter 736 or chapter 744:
- 312 a. Committing fraud in obtaining their appointments;
- 313 b. Obtaining appointments with the purpose and design of
- 314 benefiting someone other than the principal or beneficiary;
- 315 ~~c.b.~~ Abusing their powers; or
- 316 ~~d.e.~~ Wasting, embezzling, or intentionally mismanaging the
- 317 assets of the ward or beneficiary of the trust;
- 318 (d) Misappropriating, misusing, or transferring without
- 319 authorization money belonging to an elderly person or disabled
- 320 adult from an account in which the elderly person or disabled
- 321 adult placed the funds, owned the funds, and was the sole
- 322 contributor or payee of the funds before the misappropriation,
- 323 misuse, or unauthorized transfer. This paragraph only applies to
- 324 the following types of accounts:
- 325 1. Personal accounts;

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326 2. Joint accounts created with the intent that only the
 327 elderly person or disabled adult enjoys all rights, interests,
 328 and claims to moneys deposited into such account; or

329 3. Convenience accounts created in accordance with s.
 330 655.80; ~~or~~

331 (e) Intentionally or negligently failing to effectively
 332 use an elderly person's or disabled adult's income and assets
 333 for the necessities required for that person's support and
 334 maintenance, by a caregiver or a person who stands in a position
 335 of trust and confidence with the elderly person or disabled
 336 adult; or

337 (f) Knowingly obtaining or using, endeavoring to obtain or
 338 use, or conspiring with another to obtain or use an elderly
 339 person's or a disabled adult's funds, assets, property, or
 340 estate through intentional modification, alteration, or
 341 fraudulent creation of a plan of distribution or disbursement
 342 expressed in a will, trust agreement, or other testamentary
 343 devise of the elderly person or disabled adult without:

344 1. A court order, from a court having jurisdiction over
 345 the elderly person or disabled adult, which authorizes the
 346 modification or alteration;

347 2. A written instrument executed by the elderly person or
 348 disabled adult, sworn to and witnessed by two persons who would
 349 be competent as witnesses to a will, which authorizes the
 350 modification or alteration; or

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351 3. Action of an agent under a valid power of attorney
 352 executed by the elderly person or disabled adult which
 353 authorizes the modification or alteration.

354 Section 8. Paragraph (a) of subsection (2), paragraph (a)
 355 of subsection (3), and paragraph (d) of subsection (5) of
 356 section 825.1035, Florida Statutes, are amended to read:

357 825.1035 Injunction for protection against exploitation of
 358 a vulnerable adult.—

359 (2) WHO MAY FILE; VENUE; RECORDING.—

360 (a) The cause of action may be sought in an adversary
 361 proceeding by:

362 1. A vulnerable adult in imminent danger of being
 363 exploited;

364 2. The guardian of a vulnerable adult in imminent danger
 365 of being exploited;

366 3. A person or organization acting on behalf of the
 367 vulnerable adult with the consent of the vulnerable adult or his
 368 or her guardian; ~~or~~

369 4. An agent under a valid durable power of attorney with
 370 the authority specifically granted in the power of attorney; or

371 ~~5.4.~~ A person who simultaneously files a petition for
 372 determination of incapacity and appointment of an emergency
 373 temporary guardian with respect to the vulnerable adult.

374 (3) FORM OF PETITION.—

375 (a) A sworn petition filed under this section must allege

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376 | the existence of exploitation, or the imminent exploitation, of
 377 | the vulnerable adult and must include the specific facts and
 378 | circumstances for which relief is sought. The sworn petition
 379 | must be in substantially the following form:

380 |
 381 | PETITION FOR INJUNCTION FOR PROTECTION
 382 | AGAINST EXPLOITATION OF A VULNERABLE ADULT
 383 |

384 | Before me, the undersigned authority, personally appeared
 385 | Petitioner ...(Name)..., who has been sworn and says that the
 386 | following statements are true:

- 387 | 1. The petitioner's name is: _____
- 388 | 2. The petitioner's address is: _____
- 389 | 3. The petitioner's relationship to the vulnerable adult
 390 | is: _____
- 391 | 4. How long has the petitioner known the vulnerable adult:
 392 | _____
- 393 | 5. The vulnerable adult's name is: _____
- 394 | 6. Aliases of the vulnerable adult are: _____
- 395 | 7. The vulnerable adult's date of birth is: _____
- 396 | 8.1- The vulnerable adult's address is ~~adult resides at:~~
 397 | _____ ~~...(address)....~~
- 398 | 9. Does the vulnerable adult have one or more impairments
 399 | that impact his or her ability to perform normal activities of
 400 | daily living or to provide for his or her own care or

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401 protection?

402 Yes No

403 If so, what are this person's impairments? (check all that

404 apply)

405 Long-term physical disability

406 Sensory disability (e.g., hearing or vision impaired)

407 Cognitive disability

408 Mental or emotional disability

409 Developmental disability

410 Infirmary of aging

411 Other (explain)

412 ~~10.2.~~ The respondent's last known address is ~~respondent~~

413 ~~resides at: _____ ... (last known address)....~~

414 ~~11.3.~~ The respondent's last known place of employment is:

415 ~~... (name of business and address)....~~

416 ~~12.4.~~ Physical description of the respondent:

417 Race....

418 Sex....

419 Date of birth....

420 Height....

421 Weight....

422 Eye color....

423 Hair color....

424 Distinguishing marks or scars....

425 ~~13.5.~~ Aliases of the respondent:

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426 14.6. The respondent is associated with the vulnerable
427 adult as follows:

428 15.7. The following describes any other cause of action
429 currently pending between the petitioner and the respondent, any
430 proceeding under chapter 744 concerning the vulnerable adult,
431 and any previous or pending attempts by the petitioner to obtain
432 an injunction for protection against exploitation of the
433 vulnerable adult in this or any other circuit; related case
434 numbers, if available; and the results of any such
435 attempts:.....
436

437 16.8. The following describes the petitioner's knowledge
438 of any reports made to a government agency, including, but not
439 limited to, the Department of Elderly Affairs, the Department of
440 Children and Families, and the adult protective services program
441 relating to the abuse, neglect, or exploitation of the
442 vulnerable adult; any investigations performed by a government
443 agency relating to abuse, neglect, or exploitation of the
444 vulnerable adult; and the results of any such reports or
445 investigations:

446 17.9. The petitioner knows the vulnerable adult is either
447 a victim of exploitation or the petitioner has reasonable cause
448 to believe the vulnerable adult is, or is in imminent danger of
449 becoming, a victim of exploitation because the respondent has:
450 ... (describe in the spaces below the incidents or threats of

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451 exploitation)....

452 ~~18.10.~~ The following describes the petitioner's knowledge
 453 of the vulnerable adult's dependence on the respondent for care;
 454 alternative provisions for the vulnerable adult's care in the
 455 absence of the respondent, if necessary; available resources the
 456 vulnerable adult has to access such alternative provisions; and
 457 the vulnerable adult's willingness to use such alternative
 458 provisions:

459 ~~19.11.~~ The petitioner knows the vulnerable adult maintains
 460 assets, accounts, or lines of credit at the following financial
 461 institution(s): ...(list name, address, and account number of
 462 each)....

463 ~~20.12.~~ The petitioner believes that the vulnerable adult's
 464 assets to be frozen are: ...(mark one)....

- 465Worth less than \$1500;
- 466Worth between \$1500 and \$5000; or
- 467Worth more than \$5000.

468 ~~21.13.~~ The petitioner genuinely fears imminent
 469 exploitation of the vulnerable adult by the respondent.

470 ~~22.14.~~ The petitioner seeks an injunction for the
 471 protection of the vulnerable adult, including: ...(mark
 472 appropriate section or sections)....

473Prohibiting the respondent from having any direct or
 474 indirect contact with the vulnerable adult.

475Immediately restraining the respondent from committing

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476 any acts of exploitation against the vulnerable adult.

477 Freezing the assets of the vulnerable adult held at
 478 ... (name and address of depository or financial institution)...
 479 even if titled jointly with the respondent, or in the
 480 respondent's name only, in the court's discretion.

481 Freezing the credit lines of the vulnerable adult at
 482 ... (name and address of financial institution)... even if
 483 jointly with the respondent, in the court's discretion.

484 Providing any terms the court deems necessary for the
 485 protection of the vulnerable adult or his or her assets,
 486 including any injunctions or directives to law enforcement
 487 agencies.

488 ~~23.15.~~ Should the court enter an injunction freezing
 489 assets and credit lines, the petitioner believes that the
 490 critical expenses of the vulnerable adult will be paid for or
 491 provided by the following persons or entities, or the petitioner
 492 requests that the following expenses be paid notwithstanding the
 493 freeze: ... (for each expense, list the name of the payee,
 494 address, account number if known, amount, and a brief
 495 explanation of why payment is critical)....

496 (5) TEMPORARY INJUNCTION; SERVICE; HEARING.—

497 (d) An ex parte temporary injunction may be effective for
 498 a fixed period not to exceed 15 days unless good cause is shown
 499 to extend the injunction. The ex parte temporary injunction may
 500 be extended one time for up to an additional 30 days. A full

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501 hearing, as provided by this section, must be set for a date no
502 later than the date when the ex parte temporary injunction
503 ceases to be effective. ~~The court may grant a continuance of the~~
504 ~~hearing, before or during the hearing, for good cause shown by~~
505 ~~any party, which good cause may include a continuance to obtain~~
506 ~~service of process. An ex parte injunction is not extended~~
507 ~~beyond the initial 15 days as a result of a continuance.~~

508 Section 9. This act shall take effect July 1, 2021.