



March 21, 2023

The Honorable Bill Dodd
Member, California State Senate
1021 O St., Ste 7610
Sacramento, CA 95814

SUBJECT: Senate Bill 278 (Dodd): Elder Abuse - Oppose

Dear Senator Dodd,

The trade associations listed above must oppose your Senate Bill 278 relating to Elder Financial Abuse. This measure dramatically changes how senior citizens engage in commerce with a variety of businesses in California and will create adverse unintended consequences for these individuals.

The sponsors of SB 278 have characterized this measure as a clarification of existing law, but this is unfortunately inaccurate. They contend that this clarification will aid elderly victims of financial elder abuse in meeting their burden of proof against anyone who “assists” in financial elder abuse as intended by the law. However, this is simply not the case.

Rather than being a mere clarification of existing law, SB 278 could fundamentally change the way businesses engage in commerce with seniors. It requires insurance providers, caregivers, technology service providers, real estate agents, banks, and credit unions to question every decision a senior makes about their financial decisions. It would hold these businesses civilly liable for transactions that may have simply been routine and with no reason for suspicion. The businesses will be forced to make very conservative decisions about transactions initiated by their senior customers, and this could lead to processing delays that will impair anything from the most routine financial transactions to time-sensitive real estate transactions. The additional documentation that financial institutions may require to process transactions could also raise privacy concerns for senior customers.

For these reasons expressed, the trade associations listed above must respectfully oppose SB 278.

Sincerely,

Matthew Powers
Vice-President of Life, Disability and LTC Policy

Shari McHugh
Legislative Advocate

ACLHIC
John Mangan
Regional Vice President, State Relations
ACLI

NAIFA – CA
John Norwood
Legislative Advocate
IIABCal