

**Amendment No. 1 to HB0493**

**Buck  
Signature of Sponsor**

<b>FILED</b>
Date _____
Time _____
Clerk _____
Comm. Amdt. _____
_____

**AMEND Senate Bill No. 538**

**House Bill No. 493\***

By deleting the amendatory language of SECTION 2 and substituting instead the following:

(E)

(i) Given by an elderly person to a person who stands in a fiduciary relationship to the elderly person, including, but not limited to, a power of attorney, when the fiduciary knowingly uses the funds, assets or property of an elderly person for such person's own use or for the use of someone other than the elderly person with the intent to temporarily or permanently deprive the elderly person of the use, benefit, or possession of the funds assets or property.

(ii) As used in this subdivision, "elderly person" means a person who is sixty (60) year of age or older and who has some mental or physical dysfunctioning, including any resulting from age;