

Amendment No. 1 to HB0799

Curcio
Signature of Sponsor

AMEND Senate Bill No. 534*

House Bill No. 799

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-15-501(6), is amended by adding the following language as a new subdivision:

(D) The use of a telephone or other electronic or communication device, including email communication, pop-up advertisements, and websites, for the purpose of fraudulently or deceptively obtaining or attempting to obtain money, property, personal or financial information, or another thing of value from an elderly adult or fraudulently or deceptively offering to provide goods or services to an elderly adult;

SECTION 2. Tennessee Code Annotated, Section 39-15-502, is amended by designating the language of subsection (b) as (b)(1) and adding the following new subdivision (b)(2):

(2)

(A) If the violation of this section involves financial exploitation as defined in § 39-15-501(6)(D), and the person obtains money, property, or another thing of value from an elderly adult, the value of the theft shall be the amount of money, property, personal or financial information, or another thing of value actually obtained and the violation shall be punished two (2) classifications higher than is otherwise provided in § 39-14-105.

(B) If the violation of this section involves financial exploitation as defined in § 39-15-501(6)(D) but the person does not obtain money, property, personal or financial information, or another thing of value from an elderly adult, the value of

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the theft shall be the amount of money, property, personal or financial information, or another thing of value the person attempted to obtain and the violation shall be punished one (1) classification higher than is otherwise provided in § 39-14-105.

SECTION 3. This act shall take effect July 1, 2019, the public welfare requiring it.