## SENATE FILE NO. SF0045

Vulnerable adults-civil cause of action-2.

Sponsored by: Senator(s) Nethercott, Baldwin and Barlow and Representative(s) Conrad, Larsen, L, Larson, JT, Lawley, Oakley, Olsen, Sommers, Washut and Zwonitzer, Dn

## A BILL

for

- 1 AN ACT relating to adult protective services; providing a
- 2 civil cause of action for the exploitation of vulnerable
- 3 adults as specified; and providing for an effective date.

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5 Be It Enacted by the Legislature of the State of Wyoming:

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7 **Section 1.** W.S. 35-20-117 is created to read:

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- 9 35-20-117. Civil cause of action for exploitation of
- 10 vulnerable adults.

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- 12 (a) A vulnerable adult shall have a cause of action
- 13 against any person who has exploited the vulnerable adult.
- 14 The vulnerable adult may recover actual damages, punitive

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damages and reasonable attorney's fees for the exploitation

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    of the vulnerable adult. The action may be brought in any
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    court of competent jurisdiction. The action may be brought
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    by the vulnerable adult or any of the following:
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              (i) The vulnerable adult's guardian, conservator
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    or other fiduciary acting for the vulnerable adult;
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              (ii) The personal representative of the estate
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    of a deceased vulnerable adult;
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              (iii) The vulnerable adult's agent as defined by
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    W.S. 3-9-102(a)(i);
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              (iv) The vulnerable adult's spouse, parent or
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    descendant;
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21 (vi) A person who would qualify as a presumptive

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22 heir of the vulnerable adult;

decisions for the vulnerable adult;

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(v) A person authorized to make health care

1 (vii) A person named as a beneficiary to receive 2 any property, benefit or contractual right on the 3 vulnerable adult's death or as a beneficiary of a trust 4 created by or for the vulnerable adult that has a financial interest in the vulnerable adult's estate; 5 6 7 (viii) The vulnerable adult's caregiver or 8 another person that demonstrates sufficient interest in the 9 vulnerable adult's welfare; 10 11 (ix) A person asked to accept the vulnerable 12 adult's power of attorney; 13 14 (x) The nursing care facility where the vulnerable adult resides. 15 16 17 Section 2. This act is effective July 1, 2024. 18 19 (END)

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