

By: Representative Taylor

To: Judiciary A

HOUSE BILL NO. 714

1 AN ACT TO PROHIBIT THE SOLICITATION OF NURSING HOME RESIDENTS
2 FOR POWERS OF ATTORNEY; TO PROVIDE PENALTIES FOR VIOLATIONS; TO
3 EXEMPT IMMEDIATE FAMILY MEMBERS; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** It shall be unlawful for any person to solicit
6 any resident of a nursing home, personal care home or assisted
7 living facility for the purpose of attaining powers of attorney
8 over such resident regarding the assets of such resident. Any
9 person who violates the provisions of this section shall, upon
10 conviction, be guilty of a felony and shall be punished by
11 imprisonment in the State Penitentiary for not less than five (5)
12 years nor more than twenty (20) years and shall be fined Fifty
13 Thousand Dollars (\$50,000.00). In addition to such imprisonment
14 and fine, a person convicted of a violation of this section shall
15 pay full restitution to the victim of such violation. The
16 provisions of this section shall not apply to members of the
17 resident's immediate family.

18 **SECTION 2.** This act shall take effect and be in force from
19 and after July 1, 2005.