

§ 18.2-178.2. Financial exploitation by an agent; penalty

A. As used in this section:

"Agent" means the same as that term is defined in § 64.2-1600.

"Financial exploitation" means the illegal, unauthorized, or fraudulent use, or deprivation of use, of the property of a vulnerable adult with the intention of benefiting someone other than the vulnerable adult.

"Power of attorney" means a writing or other record that grants authority to an agent to act in the place of the principal, whether or not the term "power of attorney" is used.

"Principal" means an individual who grants authority to an agent in a power of attorney.

"Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

"Vulnerable adult" means the same as that term is defined in § 18.2-369.

B. An agent under a power of attorney who knowingly or intentionally engages in financial exploitation of a vulnerable adult who is the principal of that agent is guilty of a Class 1 misdemeanor. A violation of this section shall constitute a separate and distinct offense. If the acts or activities violating this section also violate another provision of law, a prosecution under this section shall not prohibit or bar any prosecution or proceeding under such other provision or the imposition of any penalties provided for thereby.

2022, cc. 397, 654.

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.