

1                                   **HOUSE CONCURRENT RESOLUTION NO. 151**

2 (By Delegates Williams, Hamilton, Rowan, Duke, Moye, Butcher, D.  
3 Campbell, Craig, Ferro, Manypenny, Pino and D. Poling)

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7 Requesting the Joint Committee on Government and Finance study the  
8 the creation of an Elder and Vulnerable Adult Victims Trust  
9 Fund.

10 WHEREAS, Legislation has been introduced that would prevent a  
11 person who has taken the life or committed felony abuse of a  
12 decedent incapacitated adult from receiving an inheritance from  
13 that individual; and

14 WHEREAS, If there are no other heirs-at-law, beneficiaries, or  
15 joint tenants of the decedent, the forfeited interest could be  
16 transferred to the state and directed to the Elder and Vulnerable  
17 Adult Victims Trust Fund, a special revenue fund in the Office of  
18 the State Treasurer that may be established by the Legislature; and

19 WHEREAS, Funds from the Elder and Vulnerable Adult Victims  
20 Trust Fund could be used for programs that provide: (1) advocacy,  
21 crisis counseling, financial guardianship and similar services to  
22 victims of elder or vulnerable adult abuse, neglect or financial  
23 exploitation; (2) law enforcement, prosecution or court-based  
24 programs that enhance case investigations, prosecutions or victim  
25 assistance in criminal cases involving elder or vulnerable adult

1 abuse, neglect or financial exploitation; (3) programs that develop  
2 and implement public education and awareness campaigns on elder or  
3 vulnerable adult abuse, neglect or financial exploitation; and (4)  
4 research initiatives that provide greater insight into elder and  
5 vulnerable adult abuse, neglect or financial exploitation and  
6 guidance on best practices for intervention and prevention  
7 strategies; therefore, be it

8       *Resolved by the Legislature of West Virginia:*

9       That the Joint Committee on Government and Finance is hereby  
10 requested to conduct a study on the creation of an Elder and  
11 Vulnerable Adult Victims Trust Fund; and, be it

12       *Further Resolved,* That the Joint Committee on Government and  
13 Finance report to the Legislature, on the first day of the regular  
14 session, 2012 on its findings, conclusions and recommendations  
15 together with drafts of any legislation to effectuate its  
16 recommendations; and, be it

17       *Further Resolved,* That the expenses necessary to conduct this  
18 study, to prepare a report and to draft necessary legislation be  
19 paid from legislative appropriations to the Joint Committee on  
20 Government and Finance.