

Elder Abuse, Neglect, and Exploitation State Statutes¹

This table identifies the protected population and prohibited conduct covered by each state's statutes and identifies the statute citations for each.

State	Statute	Protected Population
Alabama	Ala. Code § 38-9-7, Abuse, Neglect or Exploitation	Aged or Disabled Adult 18+
Alaska	Alaska Stat. § 11.51.200, Endangering Welfare of a Vulnerable Adult In the First Degree ¹	Vulnerable Adult 18+
	Alaska Stat. § 11.51.210, Endangering Welfare of a Vulnerable Adult In the Second Degree ²	
Arizona	A.R.S. § 13-3623, Child or Vulnerable Adult Abuse	Vulnerable Adult 18+
	A.R.S. § 13-1802, Theft ³	Incapacitated or Vulnerable Adult 18+
Arkansas	A.C.A § 5-28-103, Criminal Penalties for Adult Abuse	Endangered or Impaired Adult 18+
California	Cal. Pen. Code § 368, Causing Physical Pain or Mental Suffering to Elder or Dependent Adults	Elder Adult 65+ Dependent Adult 18+
	Cal. Welfare & Institutions Code § 15656, Penalties for Abuse of Elder or Dependent Adults	
	Cal. Pen. Code § 502.9, Elder or Dependent Adult Felony Victim as Aggravating Circumstance	
	Cal. Pen. Code § 515, Elder or Dependent Adult Felony Victim as Aggravating Circumstance	
	Cal. Pen. Code § 525, Elder or Dependent Adult Felony Victim as Aggravating Circumstance	
	Cal. Pen. Code § 243.25, Battery	
	Cal. Pen. Code § 667.9, Sentence Enhancement for Specified and Repeat Offenses Against Aged, Disabled, or Underage Persons	Aged person 65+ Disabled person 18+ Underage person less than 14
Colorado	C.R.S. § 18-6.5-103, Crimes Against At-Risk Adults and At-Risk Juveniles	At-Risk Adult 60+ Person with disability 18+
Connecticut	Conn. Gen. Stat. § 53a-59a, Assault of an Elderly, Blind, Disabled, Pregnant, or Mentally Retarded Person in the 1st Degree	Elderly Person 60+ Blind, Physically Disabled, Pregnant, or Mentally Retarded Person 18+
	Conn. Gen. Stat. § 53a-60b, Assault of an Elderly, Blind, Disabled, Pregnant or Mentally Retarded Person in the 2nd Degree	
	Conn. Gen. Stat. § 53a-60c, Assault of an Elderly, Blind, Disabled, Pregnant or Mentally Retarded Person in the 2nd Degree w/ a Firearm	
	Conn. Gen. Stat. § 53a-61a, Assault of an Elderly, Blind, Disabled, Pregnant or Mentally Retarded Person in the 3rd Degree	
Delaware	31 Del. C. § 3913, Violations	Infirm Adult 18+
	16 Del. C. § 1136, Violations	Long Term Care Facility Residents and Patients
District of Columbia	D.C. Code § 22-3601, Enhanced Penalty	Individual 60+
	D.C. Code § 22-933, Criminal Abuse of Vulnerable Adult	Vulnerable Adult 18+
	D.C. Code § 22-934, 936, Criminal Negligence	
	D D.C. Code § 22-936, Penalties	
Florida	Fla. Stat. § 784.08, Assault or Battery on Persons 65 Years of Age or Older	Person 65+
	Fla. Stat. § 825.102, Abuse, Aggravated Abuse, and Neglect of an Elderly Person or Disabled Adult	Elderly Person 60+ Disabled Person 18+

¹ Applies only to persons who are caring for vulnerable adults by contract or authority of law or in a state-licensed facility or program.

² Applies only to persons who are caring for vulnerable adults by contract or authority of law or in a state-licensed facility or program.

³ Knowingly takes control, title, use, or management through intimidation or deception while acting in a position of confidence.

Elder Abuse, Neglect, and Exploitation State Statutes¹

State	Statute	Protected Population
Florida (Cont'd.)	Fla. Stat. § 825.1025, Lewd or Lascivious Offenses Committed Upon Or in the Presence of an Elderly Person or Disabled Person	
	Fla. Stat. § 825.103, Exploitation of an Elderly Person or Disabled Adult ⁴	
	Fla. Stat. § 782.04, Murder	
	Fla. Stat. § 782.07, Manslaughter	
	Fla. Stat. § 775.0844, White Collar Crime Victim Protection Act	
Georgia	O.C.G.A. §16-5-20, Simple Assault	Person 65+
	O.C.G.A. §16-5-21, Aggravated Assault	
	O.C.G.A. §16-5-23, Simple Battery	
	O.C.G.A. §16-5-23.1, Battery ⁵	
	O.C.G.A. §16-5-100, Cruelty to a Person 65 Years of Age or Older	Elder Person 65+
	O.C.G.A. §16-8-12, Penalties	Person 65+
	O.C.G.A. §16-8-40, Robbery	
	O.C.G.A. §16-9-6, Punishment for Fiduciary in Violation of Chapter	
O.C.G.A. §30-5-8, Criminal Offenses and Penalties	Elder Person 65+ Disabled Adult 18+	
Hawaii	H.R.S. § 706-660.2, Sentence of Imprisonment for Offenses Against Children, Elder Persons or Handicapped Persons	Elder Person 60+ Handicapped Person 18+
	H.R.S. § 444-10.7, Enhanced Penalties When Elderly Persons Are Targeted	Elderly Person 65+
	H.R.S. § 709-905, Endangering the Welfare of an Incompetent Person	Incompetent Person 18+
Idaho	Idaho Code § 18-1505, Abuse, Exploitation or Neglect of a Vulnerable Adult	Vulnerable Adult 18+
	Idaho Code § 18-1505a, Abandoning a Vulnerable Adult	
Illinois	720 ILCS § 5/9-1, First Degree Murder	Person 60+ Disabled Person 18+
	720 ILCS § 5/12-2, Aggravated Assault	
	720 ILCS § 5/12-4, Aggravated Battery	
	720 ILCS § 5/12-21, Criminal Abuse or Neglect of an Elderly or Disabled Person	
	720 ILCS § 5/16-1.3, Financial Exploitation of an Elderly Person or Person with a Disability	
	720 ILCS § 5/18-1, Robbery	
	720 ILCS § 5/16G-20, Aggravated Financial Identity Theft	
	815 ILCS § 515/5, Aggravated Home Repair Fraud	

⁴ Exploitation is defined as knowingly by deception or intimidation, obtaining or using, or endeavoring to obtain or use an elderly or disabled person's funds, assets, or property with intent to temporarily or permanently deprive or to benefit a person other than the elderly or disabled person by a person who stands in a position of trust, has business relationship with the elderly or disabled person, or knows or should reasonably know that the elderly or disabled person lacks capacity to consent.

⁵ Battery committed by employee, agent, or volunteer at a long-term care facility, personal care homes, or person, who is required to be licensed for home health care and hospices, against person admitted to or receiving such services punishable by 1 to 5 years imprisonment and/or fine of up to \$2000.

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State	Statute	Protected Population
Illinois (Cont'd.)	720 ILCS § 5/18-4, Aggravated Vehicular Hijacking	Person 60+ Physically Handicapped Person 18+
Indiana	Ind. Code § 35-42-2-1, Battery	Mentally or Physically Disabled Person or Endangered Adult 18+
	Ind. Code § 35-46-1-4, Neglect of a Dependent	All dependents
	Ind. Code § 35-46-1-12, Exploitation of a Dependent or Endangered Adult	Dependent or Endangered Adult 18+
	Ind. Code § 35-46-1-7, Nonsupport of a Parent	Parents Unable to Support Themselves
Iowa	Iowa Code § 235B.20, Dependent Adult Abuse	Dependent Adult 18+
	Iowa Code § 726.8, Wanton Neglect or Nonsupport of a Dependent Adult	
Kansas	K.S.A. § 21-3437, Mistreatment of a Dependent Adult	Dependent Adult 18+
	K.S.A. § 39-943, Penalties	Adult care home residents
	K.S.A. § 21-3425, Mistreatment of a Confined Person	Persons detained or confined by any hospital or nursing home
Kentucky	K.R.S. § 209.990, Penalties	Adult 18+
	K.R.S. § 508.100, Criminal Abuse in the First Degree	Any physically or mentally helpless person in the actual custody of the defendant
	K.R.S. § 508.110, Criminal Abuse in the Second Degree	
	K.R.S. § 508.120, Criminal Abuse in the Third Degree	
Louisiana	La. R.S. § 14:35.2, Simple Battery of the Infirm	Infirm or Disabled Person 18+ Aged Person 60+
	La. R.S. § 93.3, Cruelty to the Infirm	
	La. R.S. § 14:93.4, Exploitation of the Infirm	
	La. R.S. § 14:93.5, Sexual Battery of the Infirm	
	La. R.S. § 14:67.21, Theft of the Assets of an Aged or Disabled Person	Aged Person 60+ Disabled Person 18+
Maine	17-A M.R.S. § 555, Endangering Welfare of a Dependent Person	Dependent Person 18+
	17-A M.R.S. § 552, Nonsupport of Dependents	
Maryland	Md. Code art. Crim. Law, § 3-604, Abuse or Neglect of a Vulnerable Adult in the First Degree	Vulnerable Adult 18+
	Md. Code art. Crim. Law, § 3-605, Abuse or Neglect of a Vulnerable Adult in the Second Degree	
	Md. Code art. Crim. Law, § 8-801, Financial Exploitation of a Vulnerable Adult	
Massachusetts	Mass. Laws, ch. 265, § 13K, Assault, Abuse, Neglect and Financial Exploitation of an Elderly or Disabled Person	Person with a Disability 18+ Elder 60+
	Mass. Laws, ch. 266, § 30, Larceny	
Michigan	MCL § 333.21771, Abuse, Mistreatment, or Neglect of Patient Prohibited	Nursing Home Patients
	MCL § 750.145n, Vulnerable Adult Abuse	Vulnerable Adult 18+
	MCL § 750.145o, Violation of Act by Operator or Employee of Unlicensed Facility	
	MCL § 750.145p, Caregiver or Other Person with Authority Over Vulnerable Adult ⁶	
	MCL § 750.174a, Person in Relationship of Trust with Vulnerable Adult ⁷	

⁶ A caregiver who has previously been convicted of violation of this statute is punishable by up to 5 years imprisonment and/or fine up to \$75,000.

⁷ The loss may be aggregated for a 12-month period and if only one victim the loss may be aggregated without any time restriction. This statute also contains a complex recidivist scheme for offenders with prior convictions under this statute.

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State	Statute	Protected Population
Minnesota	Minn. Stat. § 609.224, Assault in the Fifth Degree	Vulnerable Adult 18+
	Minn. Stat. § 609.2325, Criminal Abuse	
	Minn. Stat. § 609.233, Criminal Neglect	
	Minn. Stat. § 609.2335, Financial Exploitation of a Vulnerable Adult	
	Minn. Stat. § 609.72, Disorderly Conduct	
Mississippi	Miss. Code § 43-47-19, Prohibition against Abuse, Neglect, or Exploitation	Vulnerable Adult 18+
Missouri	R.S. Mo. § 565.180, Elder Abuse in the First Degree	Elderly Person 60+ Disabled Person 18+
	R.S. Mo. § 565.182, Elder Abuse in the Second Degree	
	R.S. Mo. § 565.184, Elder Abuse in the Third Degree	
	R.S. Mo. § 570.145, Financial Exploitation of the Elderly and Disabled ⁸	Elderly Person 60+
	R.S. Mo. § 198.097, Misappropriation of Funds of Elderly Nursing Home Residents	
Montana	Mont. Code § 52-3-825(2), Penalties	Older Person ⁹ 60+ Person with developmental disability
Nebraska	R.R.S. Neb. § 28-386, Knowing and Intentional Abuse of a Vulnerable Adult	Vulnerable Adult 18+
Nevada	NEV. REV. STAT. § 193.167, Penalty Enhancement	Person 60+
	NEV. REV. STAT. § 200-5099, Elder Abuse	Older Person 60+
	NEV. REV. STAT. § 200.50995, Conspiracy to Commit Abuse, Exploitation or Isolation of an Older Person	
	Nev. Rev. Stat. § 207.44, Habitually Fraudulent Felon	
New Hampshire	REV. STAT. § 631:8, Criminal Neglect of Elderly, Disabled, or Impaired Adults	Elderly Adult 60+ Disabled Adult Impaired Adult 18+
New Jersey	N.J. Stat. § 2C:12-1, Simple Assault on Institutionalized Elderly Person	Elderly Person 60+
	N.J. Stat. § 2C:24-7, Endangering welfare of an incompetent person	Person with mental disease or defect unable to care for himself or herself
	N.J. Stat. § 2C:24-8, Abandonment, Neglect of Elderly Person, Disabled Adult ¹⁰	Elderly Person 60+ Disabled Adult 18+
	N.J. Stat. § 2C:44-1, Sentencing Criteria	Person 60+ Disabled Person 18+
	N.J. Stat. § 2C: 14-2, Sexual Assault	Persons who are physically helpless or mentally incapacitated
New Mexico	N.M. Stat. § 30-47-4, Abuse of a Care Facility Resident	Care Facility Resident
	N.M. Stat. § 30-47-5, Neglect of a Care Facility Resident	
	N.M. Stat. § 30-47-6, Exploitation	
New York	NY CLS Penal § 260.34, Endangering the Welfare of a Vulnerable Elderly Person First Degree	Vulnerable Elderly Person ¹¹ 60+
	NY CLS Penal § 260.32, Endangering the Welfare of a Vulnerable Elderly Person-Second Degree	
	NY CLS Penal § 260.25, Endangering the Welfare of an Incompetent or Physically Disabled Person	Person unable to care for himself or herself because of physical disability, mental disease, or defect

⁸ Statute is applicable only to persons in a position of trust or confidence with the victim.

⁹ The older person must be unable to provide personal protection from the abuse, neglect, or exploitation because of a mental or physical impairment or because of frailties or dependencies brought about by advanced age.

¹⁰ Applicable to persons with duty of care for, or who have assumed continuing responsibility for, the victim.

¹¹ NY CLS Penal § 260.30 Vulnerable elderly persons are those persons who cannot provide for their own health or personal care.

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State	Statute	Protected Population
North Carolina	N.C.C Gen. Stat. §14-32.3, Domestic Abuse, Neglect, Financial Exploitation of Elder Adults ¹²	Elder Adult 60+
North Dakota	N.D.Cent. Code § 12.1-31-07, Endangering a Vulnerable Adult - penalty	Vulnerable Elderly Adult ¹³ 60+
	N.D. Cent. Code § 12.1-31-07.1, Exploitation of a Vulnerable Adult ¹⁴	
Ohio	O.R.C. § 2913.02, Theft - Penalty Enhancement for Elderly Person Victim	Elderly Person 65+
	O.R.C. § 2913.21, Misuse of Credit Cards - Penalty Enhancement for Elderly Person Victim	
	O.R.C. § 2913.31, Forgery - Penalty Enhancement for Elderly Person Victim	
	O.R.C. § 2913.43, Securing Writings by Deception - Penalty Enhancement for Elderly Person Victim	
Oklahoma	21 Okl. St. § 843.1, Caretakers–Abuse, Neglect, Sexual Abuse or Exploitation of Charge	Any person under a caretaker’s care ¹⁵
	22 Okl. St. § 91a-16, Elderly and Incapacitated Victim’s Protection Program ¹⁶	Elderly Person 62+ Incapacitated Person ¹⁷
	22 Okl. St. § 991a-20, Second and Subsequent Offenses	Elderly Person 62+
Oregon	O.R.S. § 163.200, Criminal Mistreatment- Second Degree ¹⁸	Elderly Person 65+ Dependent Person 18+
	O.R.S. § 163.205, Criminal Mistreatment- First Degree ¹⁹	
Pennsylvania	42 Pa.C.S. § 9717, Mandatory Sentences for Offenses Against Elderly Persons	Elderly Person 60+
	18 Pa.C.S. § 4120, Identity Theft – Enhanced Penalty	
	18 Pa. C.S. § 4107, Deceptive or Fraudulent Business Practices	
Rhode Island	R.I. Gen. Laws § 11-5-10, Assault and Battery upon a Person 60 or Older Causing Bodily Injury	Person 60+
	R.I. Gen. Laws § 11-5-10.1, Assault and Battery upon a Person 60 or Older Causing Serious Bodily Injury	
	R.I. Gen. Laws § 11-5-10.3, Assault on Persons 60 or Older by Caretaker Causing Bodily Injury ²⁰	
	R.I. Gen. Laws § 11-5-10.4, Assault on Persons 60 or Older by Caretaker Causing Serious Bodily Injury ²¹	

¹² Statute is applicable to caretaker(s) of a disabled or elder adult(s) who is residing in a domestic setting.

¹³ “Vulnerable elderly adult” means a person 60 years of age or older who is suffering from a disease or infirmity associated with advanced age and manifested by physical, mental, or emotional dysfunction to the extent that the person is incapable of adequately providing for the person’s own health or personal care.

¹⁴ Statute is applicable to persons who stand in a position of trust and confidence or have a business relationship with the victim or knows that the victim lacks the capacity to consent.

¹⁵ The statute provides “...[a]ny person entrusted to the care of such caretaker or other person in a nursing facility or other setting....”

¹⁶ Provides for sentence enhancement and special conditions for enumerated crimes committed against protected population as follows: Assault, Battery, Aggravated Assault and Battery, Assault & Battery with a Dangerous Weapon, Burglary, Grand Larceny, Extortion, Obtaining Signature by Extortion, Fraud, Embezzlement.

¹⁷ “Incapacitated person” means any person who is disabled by reason of mental or physical illness or disability to such extent the person lacks the ability to effectively protect self or property.

¹⁸ Applicable to persons who have a legal duty to provide care for the victim, have assumed the permanent or temporary care, custody or responsibility for the supervision of the victim.

¹⁹ Applicable to persons who have a legal duty to provide care or having assumed the permanent or temporary care, custody, or responsibility for supervision.

²⁰ Applicable only to a person responsible for care and treatment of the victim.

²¹ Applicable only to a person responsible for care and treatment of the victim.

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State	Statute	Protected Population
Rhode Island (Cont'd.)	R.I. Gen. Laws § 11-8-2.3, Breaking and Entering of Dwelling House of Persons 60 or Older When Resident on Premises	Person 60+
	R.I. Gen. Laws § 11-39-1, Penalty for Robbery	Elderly Person 60+
	R.I. Gen. Laws § 11-41-5, Penalties for Larceny	Person 65+
South Carolina	S.C. Code § 43-35-85, Abuse, Neglect, or Exploitation of a Vulnerable Adult	Vulnerable Adult 18+
South Dakota	S.D. Codified Laws § 22-46-2, Abuse & Neglect of a Disabled Adult	Disabled Adult 18+
	S.D. Codified Laws § 22-46-3, Theft by Exploitation ²²	
	S.D. Codified Laws § 22-30A-17; Grand Theft and Petty Theft	Resident or patient of nursing facility, hospital, or assisted living
Tennessee	Tenn. Code § 71-6-117, Willful Abuse, Neglect or Exploitation Prohibited -- Penalty	Adult ²³ 18+
	Tenn. Code Ann. § 71-6-119, Willful Physical Abuse or Gross Negligence -- Penalties	Advanced Age Adult 60+
Texas	Tex. Penal Code § 22.01, Assault	Elderly Individual 65+
	Tex. Penal Code § 22.04, Injury to a Child, Elderly Individual, or Disabled Individual ²⁴	
Utah	Utah Code § 76-5-111, Abuse, Neglect, or Exploitation of a Vulnerable Adult	Elder Adult 65+
	Utah Code § 76-5-112.5, Endangerment of Child or Elder Adult ²⁵	Vulnerable Adult 18+
Vermont	33 V.S.A. § 6913, Penalties; Deferred Sentencing; Criminal Sexual Activity by Caregiver; Abuse; Neglect; Exploitation	Elderly Adult 60+ Disabled Adult 18+
Virginia	Va. Code § 18.2-369, Abuse and Neglect of Incapacitated Adults	Incapacitated Adult 18+
Washington	Rev. Code Wash. § 9A.42.020, Criminal Mistreatment in the First Degree	Dependent Person ²⁶
	Rev. Code Wash. § 9A.42.030, Criminal Mistreatment in the Second Degree	
	Rev. Code Wash. § 9A.42.035, Criminal Mistreatment in the Third Degree	
	Rev. Code Wash. § 9A.42.037, Criminal Mistreatment in the Fourth Degree	
	Rev. Code Wash. § 9A.42.060, Abandonment of a Dependent Person in the First Degree	

²² Any person who, assumed the duty by written contract, by receipt of payment for care, or by order of a court to provide for the support of a disabled adult being entrusted with the property of that disabled adult, with intent to defraud, appropriates such property to a use or purpose not in the due and lawful execution of his trust, is guilty of theft by exploitation.

²³ A person "who because of mental or physical dysfunctioning or advanced age is unable to manage such person's own resources, carry out the daily activities of living or protect such person from neglect hazardous or abusive situations without assistance from others and who has no available, willing and responsible able person for assistance...."

²⁴ Also includes an omission to act if: (1) the defendant has a legal or statutory duty to act; or (2) the defendant has assumed care, custody, or control of a child, elderly individual, or disabled individual.

²⁵ Knowing or intentionally causes or permits elder adult to be at risk of suffering bodily injury, substantial bodily injury, or serious bodily injury from exposure to, ingestion of, inhalation of, or contact with a controlled substance, chemical substance, or drug paraphernalia.

²⁶ "Dependent person" means a person who, because of physical or mental disability, or because of extreme advanced age, is dependent upon another person to provide the basic necessities of life. A resident of a nursing home, as defined in RCW 18.51.010, a resident of an adult family home, as defined in RCW 70.128.010, or a frail elder or vulnerable adult, as defined in Rev. Code Wash. 74.34.020(8), is presumed to be a dependent person for purposes of this chapter.

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State	Statute	Protected Population
Washington (Cont'd.)	Rev. Code Wash. § 9A.42.070, Abandonment of a Dependent Person in the Second Degree	Dependent Person
	Rev. Code Wash. § 9A.42.080, Abandonment of a Dependent Person in the Third Degree	
	Rev. Code Wash. § 9A.42.100, Endangerment with a Controlled Substance	Dependent Adult
	Rev. Code Wash. § 9A.44.050, Rape in the Second Degree ²⁷	Frail Elder or Vulnerable Adult 60+
	Rev. Code Wash. § 9A.44.100, Indecent Liberties ²⁸	
West Virginia	W. Va. Code § 61-2-29, Abuse or Neglect of Incapacitated Adult	Incapacitated Adult 18+
Wisconsin	Wis. Stat. § 939.647, Increased Penalty for Violent Felony Committed against Elder Person	Elder Person 62+
	Wis. Stat. § 940.19, Battery, Substantial Battery, Aggravated Battery	
	Wis. Stat. § 940.285, Abuse of Vulnerable Adults	Vulnerable Adult or Person 18+
	Wis. Stat. § 940.295, Abuse and Neglect of Patients and Residents	Patients, Residents of enumerated facilities ²⁹
	Wis. Stat. § 943.20 Theft	Vulnerable Adult 18+ Patient or Resident of facility
Wyoming	Wyo. Stat. § 6-2-507, Abuse, Neglect or Exploitation of a Vulnerable Adult-Penalties	Vulnerable Adult 18+

²⁷ Perpetrator has supervisory authority over victim in a facility where victim is the resident or has a significant unmarried relationship with the victim.

²⁸ Perpetrator has supervisory authority over victim in a facility where victim is the resident or has a significant unmarried relationship with the victim.

²⁹ Patients and residents of any adult day care center; adult family home; community-based residential facility; foster home; group home; home health agency; hospice; inpatient health care facility; certain defined programs; Wisconsin School for the Deaf; Wisconsin School for the Blind and Visually Impaired; state treatment facility; treatment facility; child welfare agency; and any other health facility care-related facility or home, whether public or private.