File #: Int 1092-2024, **Version:** A

Int. No. 1092-A

By Council Members Hudson, Hanif, Louis, Restler, Williams, Schulman, Zhuang, Ossé, Brannan, Krishnan, Joseph, Stevens, Won, Sanchez, Farías, Narcisse, Brooks-Powers, Brewer, Banks, Rivera, Dinowitz and Mealy

A Local Law to amend the administrative code of the city of New York, in relation to educating older adults about elder fraud, end of life preparation, and financial literacy

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 21 of the administrative code of the city of New York is amended by adding new sections 21-216 and 21-217 to read as follows:

§ 21-216 Elder fraud prevention. a. Definitions. For purposes of this section, the following terms have the following meanings:

Activity of daily living. The term "activity of daily living" means an activity related to personal care, including, but not limited to, bathing, showering, dressing, getting in or out of bed or a chair, walking, using the toilet, or eating.

Caregiver. The term "caregiver" means a nonprofessional person who assists an older adult with the use of technology, including, but not limited to, devices such as computers, smartphones or tablet computers, or services such as e-mail, social media applications, or messaging applications.

Designated citywide languages. The term "designated citywide languages" has the same meaning as in section 23-1101.

Homebound older adult. The term "homebound older adult" means an older adult who resides at home and has physical or other health issues or functional limitations that impact their ability to travel from their home safely to obtain services in the community, as shown by the need for the assistance of another person with

at least one activity of daily living or instrumental activity of daily living.

Instrumental activity of daily living. The term "instrumental activity of daily living" means an activity related to independent living, including, but not limited to, preparing meals, managing finances, shopping for groceries or personal items, performing housework, or using a telephone.

Internet scam. The term "internet scam" means an individual or business' use of an electronic device, digital tool, email program, or application software to deceive individuals into revealing sensitive information, such as passwords, bank account numbers, bank routing numbers, personal documents, and identifying information, via the internet.

Older adult. The term "older adult" has the same meaning as in section 21-210.

Older adult center. The term "older adult center" has the same meaning as in section 21-210.

Phishing scam. The term "phishing scam" means an individual or business' illegal use of an electronic device, digital tool, email program, or application software to deceive individuals into revealing sensitive information, such as passwords, bank account numbers, bank routing numbers, personal documents, and identifying information.

Phone scam. The term "phone scam" means an individual or business' illegal use of a mobile telephone, cellular device, voice calling application, internet telephone calling feature, or landline telephone to deceive individuals into revealing sensitive information, such as passwords, bank account numbers, bank routing numbers, personal documents, and identifying information.

b. Printed materials. No later than 6 months following the effective date of the local law that added this section, the department, in consultation with the department of information technology and telecommunications and the department of consumer and worker protection, shall develop and publish materials to educate older adults and caregivers about how to prevent, detect, and report common internet scams, phone scams, phishing scams, and other financial scams. Such materials shall be printed in the designated citywide languages, and incorporate accessibility features including the use of large print, legible fonts, clear and accessible language,

powered by Legistar™

instructive graphics, and braille. Such materials shall include:

1. A checklist of the core elements of common internet scams, phone scams, and phishing scams;

2. Recommendations for older adults and caregivers to identify if an older adult is being targeted by a scam;

3. The legal rights of older adults related to internet scams, phone scams, and phishing scams;

4. Contact information for legal resources and legal services organizations that can assist in advising individuals who have been deceived by internet scams, phone scams, and phishing scams; and

5. Contact information for the department or other relevant agencies or organizations that an individual may contact to obtain additional information regarding internet scams, phone scams, and phishing scams.

c. Digital materials. The department shall create a digital version of the materials created pursuant to subdivision b of this section, including an audible version of such materials.

d. Distribution of materials. 1. The commissioner shall require older adult centers to distribute the materials created pursuant to subdivision b of this section to older adults entering such centers. The commissioner shall also ensure that such materials are distributed to homebound older adults. Such materials shall be updated and distributed twice annually.

2. The department shall post on its website, and update as necessary, the digital materials created pursuant to subdivision c of this section, and make such materials available in the designated citywide languages.

e. Signage. The commissioner shall require every older adult center to post signage in prominent common areas within every older adult center. Such signage shall include contact information for the department or other relevant agencies or organizations that an older adult may contact to obtain additional information regarding internet scams, phone scams, and phishing scams.

f. Guidance. The department shall provide quarterly guidance to all older adult centers regarding emerging internet scams, phone scams, and phishing scams that older adults may encounter.

§ 21-217 Financial literacy and end of life preparation education. a. Definitions. For purposes of this section, the following terms have the following meanings:

Designated citywide languages. The term "designated citywide languages" has the same meaning as in section 23-2101.

End of life preparation. The term "end of life preparation" means information regarding legal or financial considerations relevant to end of life, including, but not limited to, the appointment of an agent to control the disposition of remains; health care proxies; last will and testament preparation; letters of competency; letters of intent; living will and living trust preparation; orders for life-sustaining treatment; and power-of-attorney designations.

Financial literacy. The term "financial literacy" means financial planning, budgeting, credit management, reducing debt, and saving.

Homebound older adult. The term "homebound older adult" has the same meaning as in section 21-216.

Older adult center. The term "older adult center" has the same meaning as in section 21-210.

b. Printed materials. No later than 6 months following the effective date of the local law that added this section, the department, in consultation with the department of consumer and worker protection, shall develop and publish materials to educate older adults about financial literacy and end of life preparation. Such materials shall be printed in the designated citywide languages, and incorporate accessibility features including the use of large print, legible fonts, clear and accessible language, instructive graphics, and braille. Such materials shall include:

1. General information about financial literacy;

2. Contact information for financial empowerment and tax preparation services provided pursuant to contracts with the department of consumer and worker protection;

3. Contact information for legal resources and legal services organizations that can assist in advising

powered by Legistar™

individuals in end of life preparation and common legal issues that may impact older adults; and

4. Contact information for the department or other relevant agencies or organizations that an older adult may contact to obtain additional information regarding financial literacy and end of life preparation.

c. Distribution of materials. 1. The commissioner shall require older adult centers to offer the materials created pursuant to subdivision b of this section to older adults entering such centers. The commissioner shall also ensure that such materials are distributed to homebound older adults. Such materials shall be updated and distributed as necessary, or least once every 2 years.

2. The department shall post on its website, and update as necessary, such materials and make such materials available in the designated citywide languages.

§ 2. This local law takes effect immediately.

YN/CP
LS # 9089/12480/12945
2/19/25 8:01 PM