

(II) "UNDUE INFLUENCE" DOES NOT INCLUDE THE NORMAL INFLUENCE THAT ONE MEMBER OF A FAMILY HAS OVER ANOTHER MEMBER OF THE FAMILY.

(4) (8) "VULNERABLE ADULT" HAS THE MEANING STATED IN § 3-603 OF THIS ARTICLE.

~~(B) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT A PERSON CONVICTED OF A VIOLATION OF THIS SECTION SHALL NOT PROFIT FROM THE PERSON'S CRIME AGAINST THE VULNERABLE ADULT.~~

~~(C) A PERSON MAY NOT KNOWINGLY AND WILLFULLY OBTAIN OR USE, OR ENDEAVOR TO OBTAIN OR USE, BY DECEPTION, INTIMIDATION, OR UNDUE INFLUENCE, THE FUNDS, CREDIT, ASSETS, OR OTHER PROPERTY OF A VULNERABLE ADULT, SOMEONE WHOM THE PERSON KNOWS OR REASONABLY SHOULD KNOW LACKS THE PHYSICAL OR MENTAL CAPACITY TO PROVIDE FOR THEIR DAILY NEEDS, WITH THE INTENT TEMPORARILY OR PERMANENTLY TO DEPRIVE THE VULNERABLE ADULT OF THE USE, BENEFIT, OR POSSESSION OF THE VULNERABLE ADULT'S FUNDS, CREDIT, ASSETS, OR OTHER PROPERTY.~~

(B) A PERSON MAY NOT KNOWINGLY AND WILLFULLY OBTAIN BY DECEPTION, INTIMIDATION, OR UNDUE INFLUENCE THE PROPERTY OF AN INDIVIDUAL THAT THE PERSON KNOWS OR REASONABLY SHOULD KNOW IS A VULNERABLE ADULT WITH INTENT TO DEPRIVE THE VULNERABLE ADULT OF THE VULNERABLE ADULT'S PROPERTY.

~~(D)~~ (C) (1) A PERSON CONVICTED OF A VIOLATION OF THIS SECTION WHEN THE VALUE OF THE PROPERTY IS ~~\$300~~ \$500 OR MORE IS GUILTY OF A FELONY AND:

(I) IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 15 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH; AND

(II) SHALL RESTORE THE PROPERTY TAKEN OR ITS VALUE TO THE OWNER, OR, IF THE OWNER IS DECEASED, RESTORE THE PROPERTY OR ITS VALUE TO THE OWNER'S ESTATE.

(2) A PERSON CONVICTED OF A VIOLATION OF THIS SECTION WHEN THE VALUE OF THE PROPERTY IS LESS THAN ~~\$300~~ \$500 IS GUILTY OF A MISDEMEANOR AND:

(I) IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 18 MONTHS OR A FINE NOT EXCEEDING \$500 OR BOTH; AND

(II) SHALL RESTORE THE PROPERTY TAKEN OR ITS VALUE TO THE OWNER, OR, IF THE OWNER IS DECEASED, RESTORE THE PROPERTY OR ITS VALUE TO THE OWNER'S ESTATE.

~~(E)~~ (D) A SENTENCE IMPOSED UNDER THIS SECTION MAY BE SEPARATE FROM AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR ANY CRIME BASED ON THE ACT OR ACTS ESTABLISHING THE VIOLATION OF THIS SECTION.