

2024 Regular Session

HOUSE BILL NO. 816

BY REPRESENTATIVE WILFORD CARTER

CRIME: Provides relative to residential contractor fraud

1 AN ACT

2 To amend and reenact R.S. 14:202.1(D) and to enact R.S. 14:202.1(E) and (F), relative to
3 residential contractor fraud; to provide for penalties; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:202.1(D) is hereby amended and reenacted and R.S. 14:202.1(E)
7 and (F) are hereby enacted to read as follows:

8 §202.1. Residential contractor fraud; penalties

9 * * *

10 D. If the victim is sixty-five years of age or older and the offender's conduct
11 causes emotional or mental suffering, the offender, in addition to any other penalties
12 imposed pursuant to this Section, shall be imprisoned with or without hard labor for
13 not more than five years.

14 E. In addition to the penalties provided by the provisions of this Section, a
15 person convicted of residential contractor fraud shall be ordered to make full
16 restitution to the victim and any other person who has suffered a financial loss as a
17 result of the offense. For the purposes of this Subsection, restitution to the victim
18 shall include the cost of repairing work fraudulently performed by the contractor and
19 the cost of completing work for which the contractor was paid but did not complete.

1 F. Nothing in this Section shall preclude a victim from pursuing civil
2 remedies pursuant to R.S. 9:4856 or any other applicable provision of law.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 816 Original

2024 Regular Session

Wilford Carter

Abstract: Provides relative to penalties for residential contractor fraud.

Present law provides for the crime of residential contractor fraud and provides for penalties.

Proposed law retains present law.

Proposed law provides that if the victim is 65 years of age or older and the offender's conduct causes emotional or mental suffering, the offender, in addition to any other penalties imposed pursuant to present law, shall be imprisoned with or without hard labor for not more than five years.

Proposed law provides that nothing in present law shall preclude a victim from pursuing civil remedies pursuant to present law (R.S. 9:4856) or any other applicable provision of law.

(Amends R.S. 14:202.1(D); Adds R.S. 14:202.1(E) and (F))