

ACT No. 437

2016 Regular Session

HOUSE BILL NO. 546

BY REPRESENTATIVE HUNTER

1 AN ACT

2 To enact R.S. 14:71.4, relative to misappropriation without violence; to create the crime of
3 homestead exemption fraud; to provide for elements of the crime; to provide
4 criminal penalties; to provide for restitution; to provide definitions; and to provide
5 for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:71.4 is hereby enacted to read as follows:

8 §71.4. Homestead exemption fraud

9 A. It is unlawful for any person to intentionally claim more than one
10 homestead exemption as provided for in Article VII, Section 20 of the Louisiana
11 Constitution.

12 B. Any person who intentionally claims more than one homestead exemption
13 shall be fined not more than five hundred dollars, imprisoned for not more than six
14 months, or both.

15 C. In addition to the penalties provided in Subsection B of this Section, a
16 person convicted of a violation of this Section shall be ordered to make full
17 restitution to the state or local governmental subdivision which has suffered a
18 financial loss as a result of the offense. If a person ordered to make restitution
19 pursuant to this Section is found to be indigent and therefore unable to make
20 restitution in full at the time of conviction, the court shall order a periodic payment
21 plan consistent with the person's financial ability.

1 D. For the purposes of this Section, "person" means a natural or juridical
2 person, including but not limited to a sole proprietorship, corporation, company,
3 limited liability company, partnership, limited liability partnership, trust,
4 incorporated or unincorporated association, or any other individual or entity.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____