

GREEN SHEET REDIGEST

HB 816

2024 Regular Session

Wilford Carter

CRIME: Provides relative to residential contractor fraud.

DIGEST

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

Proposed law retains present law.

Proposed law provides that whoever violates the provisions of present law (R.S. 14:202.1(C)(2), (3), or (4)) and the victim is 60 years of age or older, 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, to be served consecutively with the sentence imposed.

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))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Provide that proposed law applies to an offender who violates the felony provisions of present law and the victim is 60, rather than 65, years of age or older.
3. Clarify that either the age of the victim or the offender's conduct can serve as a basis for prosecution under proposed law.
4. Define the term "emotional or mental suffering".

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the reengrossed bill

1. Delete "emotional or mental suffering" from consideration for enhanced sentencing.
2. Delete the definition of "emotional or mental suffering".