

2018 Regular Session

HOUSE BILL NO. 88

BY REPRESENTATIVES MACK, AMEDEE, BACALA, BAGLEY, BERTHELOT,
TERRY BROWN, CREWS, DEVILLIER, EDMONDS, FALCONER, GAROFALO,
GLOVER, LANCE HARRIS, HAVARD, HENSGENS, HODGES, HORTON,
MIGUEZ, PYLANT, SCHEXNAYDER, AND WRIGHT

1 AN ACT

2 To enact R.S. 14:70.9, relative to fraud; to create the crime of government benefits fraud;
3 to provide for elements of the offense; to provide for penalties; and to provide for
4 related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:70.9 is hereby enacted to read as follows:

7 §70.9. Government benefits fraud

8 A. The crime of government benefits fraud is the act of any person who, with
9 intent to defraud the state or any person or entity through any government benefits
10 administered by any state department, agency, or political subdivision, does any of
11 the following:

12 (1) Presents for allowance or payment any false or fraudulent claim for
13 furnishing services, merchandise, or payments.

14 (2) Knowingly submits false information for the purpose of obtaining greater
15 compensation than that to which he is legally entitled for furnishing services,
16 merchandise, or payments.

17 (3) Knowingly submits false information for the purpose of obtaining
18 authorization for furnishing services, merchandise, or payments.

19 (4) Knowingly makes or causes to be made a false statement or
20 representation of material fact on an application or form for assistance, goods,
21 services, or payments when the false statement or representation is made for the
22 purpose of determining the person's eligibility to receive benefits or payments.

1 (5) Knowingly conceals or fails to disclose any material fact affecting the
2 applicant's or recipient's initial or continued eligibility to receive benefits or
3 payments.

4 B. Whoever commits the crime of government benefits fraud shall be
5 imprisoned, with or without hard labor, for not more than five years, may be fined
6 not more than ten thousand dollars, or both imprisoned and fined.

7 C. For the purpose of this Section, government benefits include any record,
8 voucher, payment, money or thing of value, good, service, right, or privilege
9 provided or administered by a state government entity.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____