

RÉSUMÉ DIGEST

ACT 231 (HB 6)

2025 Regular Session

Jackson

New law provides that no person who has received money or payment in accordance with a lease contract or rental agreement to pay utility services shall knowingly do any of the following:

- (1) Fail to apply the money or payment as necessary to satisfy the amount owed for the utility services within 60-days of receiving the bill for utility services.
- (2) Use or cause an agent or employee to use any deception, false pretense, or false promise in the failure to apply the money or payment as necessary to satisfy the amount owed for the utility services.

New law provides that a person who violates new law shall be punished as follows:

- (1) When the misappropriation or taking amounts to a value of \$25,000 or more, the offender shall be imprisoned at hard labor for not more than 20 years, fined not more than \$50,000, or both.
- (2) When the misappropriation or taking amounts to a value of \$5,000 or more, but less than a value of \$25,000, the offender shall be imprisoned with or without hard labor for not more than 10 years, fined not more than \$10,000, or both.
- (3) When the misappropriation or taking amounts to a value of \$1,000 or more, but less than a value of \$5,000, the offender shall be imprisoned with or without hard labor for not more than five years, fined not more than \$3,000, or both.
- (4) When the misappropriation or taking amounts to less than a value of \$1,000, the offender shall be imprisoned for not more than six months, fined not more than \$1,000, or both. Further provides that if the offender in such cases has been convicted two or more times previously, upon any subsequent conviction, the offender shall be imprisoned with or without hard labor for not more than two years, fined not more than \$2,000, or both.

New law provides that in addition to the penalties provided in new law, a person convicted under new law shall be ordered to make full restitution to the victim and any other person who has suffered a financial loss as a result of the offense in accordance with C.Cr.P. Art. 883.2.

New law provides that new law shall not apply if the person required to remit utility payments to a utility provider is unable to do so because either:

- (1) He has not received the full amount from the tenant or lessee required to satisfy the utility bill.
- (2) An administrative, clerical, or technical error or omission by the utility provider causes a delay in the receipt of either the utility bill or payment.

New law defines the terms "person" and "utility services".

New law provides for a statement of legislative intent.

Effective August 1, 2025.

(Adds R.S. 14:71.5)