

2026 Regular Session

HOUSE BILL NO. 70

BY REPRESENTATIVE WALTERS

CRIME/THEFT: Provides relative to contractor fraud

1 AN ACT

2 To amend and reenact R.S. 14:202.1(A)(introductory paragraph), (2), (3), and (6), (B),
3 (C)(1), and (D), relative to the crime of contractor fraud; to provide for the types of
4 property to which the crime applies; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:202.1(A)(introductory paragraph), (2), (3), and (6), (B), (C)(1),
7 and (D) are hereby amended and reenacted to read as follows:

8 §202.1. ~~Residential contractor~~ Contractor fraud; penalties

9 A. ~~Residential contractor~~ Contractor fraud is the misappropriation or
10 intentional taking of anything of value which belongs to another, either without the
11 consent of the other to the misappropriation or taking, or by means of fraudulent
12 conduct, practices, or representations by a person who has contracted to perform any
13 ~~home building~~ improvement or ~~residential~~ construction, or who has subcontracted
14 for the performance of any ~~home building~~ improvement or ~~residential~~ construction.
15 A misappropriation or intentional taking may be inferred when a person does any of
16 the following:

17 * * *

18 (2) Uses, or causes an agent or employee to use, any deception, false
19 pretense, or false promise to cause any person to enter into a contract for ~~home~~
20 building improvements or ~~residential~~ construction.

1 (3) Damages the property of any person with the intent to induce that person
2 to enter into a contract for ~~home~~ building improvements or ~~residential~~ construction.

3 * * *

4 (6) Fails to possess the required license for ~~home~~ building improvements or
5 ~~residential~~ construction required by applicable state, municipal, or parochial statute.

6 * * *

7 B. For purposes of this Section, "~~home~~ building improvement or ~~residential~~
8 construction" means any alteration, repair, modification, construction, or other
9 improvement to any immovable or movable property ~~primarily designed or used as~~
10 ~~a residence or to any structure within the residence or upon the land adjacent to the~~
11 ~~residence~~ that meets the definition of "building" pursuant to R.S. 33:4771, regardless
12 of whether primarily designed or used as a residence or commercial property.

13 C.(1) When the misappropriation or intentional taking amounts to a value of
14 less than one thousand dollars, the offender shall be imprisoned for not more than six
15 months; or fined not more than one thousand dollars, or both. If the offender in such
16 cases has been convicted of theft or contractor fraud pursuant to this Section two or
17 more times previously, then upon conviction the offender shall be imprisoned, with
18 or without hard labor, for not more than two years, or fined not more than two
19 thousand dollars.

20 * * *

21 D.(1) In addition to the penalties provided in Subsection C of this Section,
22 a person convicted of ~~residential~~ contractor fraud shall be ordered to make full
23 restitution to the victim and any other person who has suffered a financial loss as a
24 result of the offense. For the purposes of this Subsection, restitution to the victim
25 ~~shall include~~ includes the cost of repairing work fraudulently performed by the
26 contractor and the cost of completing work for which the contractor was paid but did
27 not complete.

28 (2) A person sentenced ~~under~~ pursuant to the provisions of Paragraph (C)(2),
29 (3), or (4) of this Section when the victim is sixty-five years of age or older and the

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property at issue is residential, in addition to any other penalties imposed pursuant to this Section, shall be imprisoned, with or without hard labor, for not more than five years to be served concurrently with the sentence imposed.

* * *

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 70 Original

2026 Regular Session

Walters

Abstract: Adds commercial property to the crime of contractor fraud.

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

Proposed law changes present law to also apply to commercial properties.

Present law provides an additional penalty when the victim is aged 65 or older.

Proposed law retains present law regarding 65-year-old victims and clarifies that this provision only applies to residential properties.

(Amends R.S. 14:202.1(A)(intro. para.), (2), (3), and (6), (B), (C)(1), and (D))