

AN ACT concerning home repair fraud.

Be it enacted by the People of the State of Illinois,
represented in the General Assembly:

Section 5. The Home Repair Fraud Act is amended by
changing Section 5 as follows:

(815 ILCS 515/5) (from Ch. 121 1/2, par. 1605)

Sec. 5. Aggravated Home Repair Fraud. A person commits
the offense of aggravated home repair fraud when he commits
home repair fraud against a person 60 years of age or older
or a disabled person as defined in Section 16-1.3 of the
Criminal Code of 1961.

(a) Aggravated violation of paragraphs (1) or (2) of
subsection (a) of Section 3 of this Act shall be a Class 2
felony when the amount of the contract or agreement is more
than \$500 ~~\$1,000~~, a Class 4 felony when the amount of the
contract or agreement is \$500 ~~\$1,000~~ or less, and a Class 3
felony for a second or subsequent offense when the amount of
the contract or agreement is \$500 ~~\$1,000~~ or less. If 2 or
more contracts or agreements for home repair exceed an
aggregate amount of \$500 ~~\$1,000~~ or more and such contracts or
agreements are entered into with the same victim by one or
more of the defendants as part of or in furtherance of a
common fraudulent scheme, design or intention, the violation
shall be a Class 2 felony.

(b) Aggravated violation of paragraph (3) of subsection
(a) of Section 3 of this Act shall be a Class 2 felony when
the amount of the contract or agreement is more than \$5,000
~~\$10,000~~ and a Class 3 felony when the amount of the contract
or agreement is \$5,000 ~~\$10,000~~ or less.

(c) Aggravated violation of paragraph (4) of subsection
(a) of Section 3 of this Act shall be a Class 3 felony when

the amount of the contract or agreement is more than \$500 ~~\$1,000~~, a Class 4 felony when the amount of the contract or agreement is \$500 ~~\$1,000~~ or less and a Class 3 felony for a second or subsequent offense when the amount of the contract or agreement is \$500 ~~\$1,000~~ or less.

(d) Aggravated violation of paragraphs (1) or (2) of subsection (b) of Section 3 of this Act shall be a Class 3 felony.

(e) If a person commits aggravated home repair fraud, then any State or local license or permit held by that person that relates to the business of home repair may be appropriately suspended or revoked by the issuing authority, commensurate with the severity of the offense.

(f) A defense to aggravated home repair fraud does not exist merely because the accused reasonably believed the victim to be a person less than 60 years of age.

(Source: P.A. 87-490.)