

1 AN ACT concerning home repair fraud.

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

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

6 (815 ILCS 515/5) (from Ch. 121 1/2, par. 1605)

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

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

25 (b) Aggravated violation of paragraph (3) of subsection
26 (a) of Section 3 of this Act shall be a Class 2 felony when
27 the amount of the contract or agreement is more than \$5,000
28 ~~\$10,000~~ and a Class 3 felony when the amount of the contract
29 or agreement is \$5,000 ~~\$10,000~~ or less.

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

1 the amount of the contract or agreement is more than \$500
2 \$1,000, a Class 4 felony when the amount of the contract or
3 agreement is \$500 \$1,000 or less and a Class 3 felony for a
4 second or subsequent offense when the amount of the contract
5 or agreement is \$500 \$1,000 or less.

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

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

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

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