

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 1 ~~2~~  
14 felony when the amount of the contract or agreement is more  
15 than \$500 ~~\$1,000~~, a Class 3 ~~4~~ felony when the amount of the  
16 contract or agreement is \$500 ~~\$1,000~~ or less, and a Class 2 ~~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 1 ~~2~~ felony.

25 (b) Aggravated violation of paragraph (3) of subsection  
26 (a) of Section 3 of this Act shall be a Class 1 ~~2~~ felony when  
27 the amount of the contract or agreement is more than \$5,000  
28 ~~\$10,000~~ and a Class 2 ~~3~~ felony when the amount of the  
29 contract 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 2 ~~3~~ felony when

1 the amount of the contract or agreement is more than \$500  
2 \$1,000, a Class 3 4 felony when the amount of the contract or  
3 agreement is \$500 \$1,000 or less and a Class 2 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 2 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 A defense to aggravated home repair fraud does not exist  
15 merely because the accused reasonably believed the victim to  
16 be a person less than 60 years of age.

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